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12

REBUILDING

COURT, PROBATION, AND RECOVERY

What to Ask a Lawyer and What Records to Keep

STEPHEN DEASON

Alder Creek EDITIONS

Court, Probation, and Recovery

With Thanks

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Thank you, Matthew, for helping put these books in the hands of the people who need them.

Stephen Deason

DON'T PANIC

If you are in danger, call 911.

If you are in crisis, or thinking about suicide, call or text 988.

For free help finding treatment, call 1-800-662-4357.

If you have used again, turn to page 157.

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Recovery Books

The Mile Marker Library: standalone books and tools for people getting into recovery on their own. Each one is numbered and labeled by what it helps with. Start with any of them.

RIGHT NOW

1. *Don't Panic: The First Hours After You Stop*
What to Do When You Stop Drinking or Using

2. *Wallet Crisis Card* **Free Printable**
Numbers to Call, Ready to Print

3. *Free Help Directory*
Meetings, Helplines, and Low-Cost Care

4. *Medications for Addiction, Explained*
What They Are, How to Ask, and How to Pay

DAILY PRACTICE

5. *Tools You Can Use on Your Own*
A Guide to Self-Directed Recovery

6. *Cravings and Hard Hours Workbook*
A Companion to Tools You Can Use on Your Own

7. *One Day at a Time, Written Down*
A 90-Day Gratitude Journal, in General and Christian Editions

8. *Daily Reader, 365 Days*
For Any Recovery Path

9. *Worksheet Library*
Every Journal Page and Exercise, Ready to Print

REBUILDING

10. *Money in Early Recovery*
Budgets, Debts, Benefits, and Credit

11. *Work and Recovery*
Finding a Job, Keeping It, and What to Tell Employers

12. *Finding a Safe Place to Live*
Sober Housing and What to Check Before You Move In

13. *Court, Probation, and Recovery* **This book**
What to Ask a Lawyer and What Records to Keep

PEOPLE AROUND YOU

14. *For Families*
When Someone You Love Can't Get to Treatment

15. *Group Facilitator Guide*
Running Free Peer Support Groups with These Books

16. *Employer Guide*
Hiring and Keeping People in Recovery

Who This Book Is For and How to Use It

This book is for anybody on probation, on parole, in a drug court, in a diversion program, or waiting on a case, who is also trying to stay stopped.

Those two jobs pull against each other. Supervision adds appointments, fees, tests, classes and rules at the point in recovery when you have the least capacity to absorb any of them. A bad week that would otherwise cost you a bad week can cost you custody instead.

This book explains the machinery. What supervision is, what your officer can and cannot require, what has to happen before a court can lock you up over money, what you are entitled to at a revocation hearing, and what your treatment program is permitted to tell anybody.

It is general information for adults. It is not legal advice and it is not advice about your case. Nobody can give you that from a book, because the answer turns on facts nobody writing this has. What the book does instead is tell you who decides, what to ask, and who to call, and it does that on the pages where the question comes up rather than once at the front.

Five things before you start.

If you have used, or somebody is in danger, go to the Safety page that comes next and to the If I Use Again page at the back of this book. Come back to the rest later.

Read Chapter 4 before you read any chapter after it. It is about your own attorney, and the rest of the book depends on it. If you do not have a lawyer right now, read the first section of Chapter 20 next. It says what to do each time this book tells you to call your attorney.

Nothing in here tells you to start, stop, or change a medication. Your prescriber decides that. Chapter 8 covers what happens when somebody who is not your prescriber tells you otherwise.

Where this book names a right or a rule, it is naming something a statute, a regulation, or a court decision says. Where it cites professional standards, it says they are recommendations. Where a thing varies by state, the book says so and sends you to your own paperwork rather than guessing on your behalf.

Be careful what you put on paper. Your officer may be allowed to search your home and your papers. In your folder and on the write-in lines in this book, write facts and dates about what you did right: the meetings you went to, the payments you made, the appointments you kept. Keep anything about use, or about a problem you need legal advice on, for a conversation with your attorney. Where a page in this book asks about the hard part, it asks for your questions for your attorney.

Safety and Getting Help

If somebody is overdosing, unconscious, having a seizure, or cannot be woken, call 911 now. If you have naloxone, also called Narcan, give it, and stay with the person until help comes. You can buy naloxone nasal spray at a pharmacy without a prescription, and your treatment program or health department may give it out for free.

Many states have a law that protects the person who calls for help at an overdose from some drug charges. Some of those laws also protect a person on probation or parole from a violation, and some do not. Call anyway, and ask your attorney afterward what your state's law covers.

If you were just released from jail or prison, your tolerance may be lower than when you went in. The first days and weeks after release are when the risk of overdose is highest. Do not use alone, and keep naloxone with you.

If you drink heavily every day, stopping all at once can be dangerous, and that includes stopping because a court ordered you to stop by a set date. Alcohol withdrawal can cause seizures and severe confusion, and without medical care it can kill. If somebody has a seizure, is confused, or is seeing or hearing things that are not there, call 911. Otherwise, talk to a doctor before the date you have to stop, or call 1-800-662-4357 to find detox, and tell your attorney about the order.

If you are thinking about killing yourself or hurting yourself, call or text 988. It is free, it is open all the time, and you do not have to be in danger right now to use it.

To find treatment, detox, or somebody to talk to, the SAMHSA National Helpline is 1-800-662-4357. It is free, confidential, open 24 hours a day every day of the year, in English and Spanish, and it will refer you to help near you.

If you are in custody and prescribed medication for opioid use disorder, say so on the way in, name the medication, name the prescriber, and ask that it go in the booking record.

Find Your Page Fast

If one of these is happening now, go to the page named first.

Somebody is overdosing or in danger: call 911, then the Safety page above.

I used: If I Use Again, at the back of this book, then Chapter 21.

There is a warrant: Chapter 18.

I was arrested or questioned by police: Chapter 17.

I got a violation notice: Chapter 16.

I have a hearing coming: Chapter 19.

I had a positive test, or I missed a test: Chapter 7.

Somebody told me to stop or switch my medication: Chapter 8.

My officer is coming to my home: Chapter 3.

Somebody wants me to sign something: Chapter 3, then Chapter 16. If it says I used, Chapter 7. If it is a release at treatment, Chapter 9.

I want to move, or I am going into treatment or a recovery residence: Chapter 4, then Chapter 14.

My phone number changed: Chapter 4, then Who I Told, at the back of this book.

I am in drug court: Chapter 11.

I am in a diversion program: Chapter 1, the section called If you are in diversion.

I cannot pay: Chapter 13.

My work hours clash with reporting or testing: Chapter 15.

My officer told me to do something that is not on my paper: Chapter 5.

I want to get off supervision early: Chapter 22.

I want my record cleared: Chapter 23.

I am not a U.S. citizen: Chapter 24, before I plead, sign, or admit anything.

I do not have a lawyer: Chapter 20.

1. Where You Are in the System

Four different things get called the same thing in conversation, and they run on different rules. Before anything else, find out which one you are in, because the answer changes who holds your case, what a violation does, and what happens at the end.

The four

Diversion or deferred prosecution. You have not been convicted under your state's law. The case is held open while you do something, and finishing it usually ends the case. The risk is that failing it puts the original charge back in front of you. If you are not a U.S. citizen, immigration law may count a diversion that began with a plea or an admission as a conviction, so read the immigration warning in Chapter 24 before you agree to anything.

Probation. You were convicted or you pleaded, and you are serving the sentence in the community instead of in custody. In many state cases a violation can send you to serve some or all of what was suspended. In a federal case nothing is suspended: if probation is revoked, the judge sentences you again for the original offense, and the new sentence can include prison up to the maximum for that offense.

Parole, supervised release, or post-release supervision. You served time and you are out under conditions. In a

state parole case the body that decides a violation is often an administrative board rather than a judge. If parole is revoked, you can be sent back to serve the rest of your sentence, and in some states, Texas among them, some or all of the time you spent on parole may not count toward it. If you are on federal supervised release, a federal judge decides.

A problem-solving court. Drug court, DUI court, veterans court, mental health court. You are in a program run by a court, usually with a written participation agreement you signed.

Why the difference matters

There is no national rulebook for problem-solving courts. They exist under individual state statutes, state court rules, or purely local practice, and the name means different things in different places.

So two drug courts in neighboring counties can run differently, and the documents that tell you how yours runs are the participation agreement you signed and the program's handbook. Chapter 11 covers both.

Federal cases and state cases also run very differently. If your case is federal, read Chapter 16 soon, because in a federal case some drug violations make revocation mandatory. If your case is a state case, Chapter 16 also covers how some states, Virginia among them, limit jail time on a first drug violation.

If you are in diversion

1. Get a copy of the diversion agreement you signed and read all of it. The agreement is your conditions paper, and Chapter 5 is about how to read it.
2. Find out who runs your program: the court, the prosecutor's office, or a private company. Ask who the person checking on you works for. Treat that person the way Chapter 3 says to treat an officer. Answer truthfully, and remember that what you say can go in a report.
3. Find out whether you signed a plea, an admission, or a written statement of the facts to get in. If you fail, that paper may be used against you on the charge. The questions in Chapter 11, under "Two questions to answer before you enter," apply to diversion too.
4. Ask in writing what happens if you miss something, and who decides whether you are thrown out.
5. When you finish, get a copy of the signed order that dismisses the charge. Ask the clerk to show you that the order is on the docket.
6. A dismissed charge can still show up as an arrest. Chapter 23 covers clearing it.

If nobody represented you when you signed up, the first section of Chapter 20 says what to do.

What to find out this week

1. Which of the four you are in. Ask your attorney, and ask them to say it in one sentence. If you have no attorney, it is written on your sentencing order or

judgment, or on your diversion agreement if you are in diversion. The clerk of court or the program can give you a copy.

2. Who decides a violation in your case. A judge, or a board.
3. How long it runs, and the date it ends.
4. What the sentence is if you fail, or in diversion, what happens to the charge if you fail. In a post-plea case that number is often already set, and Chapter 11 covers how to get it in writing.
5. Whether your case is federal or state.

Write the answers down. People spend months on supervision without knowing which kind they are on, and the first time it matters is the worst time to find out.

What I am on, who decides a violation, when it ends, and what the sentence is if I fail:

2. Your Papers

Supervision runs on paper, and the person holding the paper has an advantage. Most of what goes wrong in the chapters that follow goes wrong because nobody could produce a document.

Get a folder. A real one, cheap, with pockets. Not a phone, because phones get lost, shut off, and taken.

The first page

The first page in the folder is a contact sheet you write by hand, carrying your attorney's name and number, your officer's name and number, the clerk of court's number, your case number or numbers, and the phone number and address you have given each of them.

That last part is the one people skip. Chapter 4 explains why it matters more than it looks.

What else goes in it

Your signed conditions of supervision, which is the document Chapter 5 is about. In a federal case, the conditions are in the judgment the court entered, plus any later order that changed them. Ask your lawyer for copies of both.

Every notice you receive, with the date you received it written on it.

Every drug test result you are given a copy of, and a note of every test where you were not given one.

Proof of what you have done: meeting attendance sheets, class certificates, treatment enrollment, pay stubs, payment receipts.

Your prescriptions and your prescriber's contact information.

Anything you signed. Releases, waivers, participation agreements, payment plans. If you signed something and were not handed a copy, ask for the copy. Read everything you signed, or have somebody you trust read it with you. It may hold a deadline or a rule you do not know about yet.

Two habits

Write the date on everything the day it arrives.

Make a second copy of the folder and leave it with somebody who is not in your house. People lose the folder in exactly the week they need it.

What stays out of the folder

Your officer may be allowed to look through your things. Many conditions let an officer search your home, your car, or your phone without a warrant, and the folder lives in your home and goes with you to appointments. In a federal case, the standard conditions also let your officer visit your home at any time and take anything prohibited that is in plain view, even without a search condition.

So the folder holds proof of what you did right: attendance sheets, payment receipts, appointment dates,

records. It does not hold anything you wrote about use or about a problem you need legal advice on. Say that part out loud to your attorney in a private meeting. If your attorney asks you to write it down, write it for your attorney only, hand it over, and do not keep a copy.

The second copy of the folder follows the same rule.

This rule is about what you write down from now on. Never throw away, delete, or change anything that already exists, on paper or on your phone, because a search is coming, is happening, or just happened. Federal law makes it a crime to destroy or hide property to keep it from being seized in a search, and your state may have its own law. If you are worried about something you already have, tell your attorney.

What is missing from my folder, and who has it:

3. Who Your Officer Is and What They Do

Your officer supervises you on behalf of the court or the board. That is the whole job description, and it is worth being precise about what follows from it.

What the job is

Your officer enforces the conditions somebody else imposed. They report what you do. In most places they recommend, and sometimes they decide, what happens when you fall short. They often control practical things that matter to you: a travel request, a transfer, a referral, the tone of the report a judge reads.

A good officer can make supervision survivable. A bad one can make it much worse. Neither of those changes what the role is.

What your officer is not

Your officer is not your lawyer. Your officer works for the court or the board. Federal law tells federal officers to help the people they supervise improve their conduct and their situation, and many officers will refer you to work, housing, or treatment. That help is part of the job the officer does for the court. Nothing you tell your officer is protected the way what you tell your attorney is protected.

Mixing up your officer with your lawyer is an easy mistake to make, because your officer may be the only professional you see every month, and they may be

decent to you. Being decent to you is not the same as being on your side, and the two get mixed up when somebody is the only person asking how you are.

So the rule is about where your candor goes. Chapter 4 explains why your attorney needs everything. Your officer gets what your conditions require you to report, accurately and on time, and the questions you need answered. Those are different lists. Anything you tell your officer goes into the officer's file, and it can be used at a hearing. Once it is said, it cannot be taken back, so the order matters: your attorney first.

If you are about to tell your officer something that could be used against you, tell your attorney first and ask how to handle it.

Never lie to your officer. Many conditions require you to answer your officer's questions truthfully, and the standard federal condition says so in those words. A false answer is a violation of its own.

If a question could show a new crime, staying quiet does not protect you on its own. The Supreme Court has said that to rely on your right not to incriminate yourself, you generally have to claim it out loud. So say it: "I am not answering that, because the answer could be used against me in a criminal case. I want to talk to a lawyer first." Your officer does not have to warn you about this right before asking. Then call your attorney the same day, or follow the first section of Chapter 20 if you have none.

Use those words only for a question whose answer could show a new crime. Your conditions likely require you to answer questions about where you live, who you live with, where you work, and whether you went to treatment or class, and to answer them truthfully. Refusing those questions can be a violation of its own. The words also do not cover a drug test, an appointment, or a report your conditions require. Refusing a test is a violation, and in a federal case it makes revocation mandatory.

The question you will hear most is whether you used. In some places the answer could show a new crime, and in others it could not, and a reporting rule in your conditions or a drug court agreement can change the answer. Settle with a lawyer now, before your officer asks, whether you may decline that question in your state and your case. Whatever the answer, never lie and never deny something that happened.

In a federal case, national court policy says your officer may not force you to answer a question you refused because the answer could be used to charge you with a crime, for example by threatening revocation. If your officer thinks the refusal is not valid, the officer is supposed to take it to the judge. Tell your attorney the same day.

In any case, federal or state, if your officer tells you that you will be violated or locked up for refusing to answer, write down the exact words, the date, and who else was

there, and give that note to your attorney the same day. The Supreme Court has said that a threat like that can keep your answer from being used against you in a new criminal case. It does not keep the answer out of a violation hearing.

If you are in a drug court, read "Honesty in drug court" in Chapter 11 before you rely on any of this. A drug court expects you to talk about use with the judge and the team.

A report your conditions require is a separate duty with its own deadline. Call your attorney right away, and still make the report on time. If you have no attorney, or you cannot reach one before the deadline, make the report anyway, on time and truthfully, and keep it to what the condition asks for. In an emergency, call 911 first.

What their authority is

This varies more than anything else in this book. Whether your officer can arrest you, hold you, or impose a sanction without a judge differs by state, and in some states by whether you sign a waiver.

The next three paragraphs are about North Carolina and about federal cases. If your case is neither, skip to the two questions below.

North Carolina, for example, lets a probation officer impose two or three days in jail at a time, no more than six days a month in no more than three months, but only

after the person is told of the right to a court hearing and a lawyer and signs a written waiver of those rights.

The federal system works differently. A federal officer can arrest you without a warrant if the officer has probable cause to believe you violated a condition. Only the judge can revoke your supervision or change your conditions. A change needs a hearing unless you give that hearing up, or unless the change only helps you, does not lengthen your supervision, and the prosecutor does not object.

Your federal officer may ask you to sign a form giving up that hearing, so the judge can add a condition, such as treatment or a curfew, or make your supervision last longer. The request still goes to the judge, usually with a report of what led to it. The federal form says that by signing, you give up both the hearing and your right to a lawyer for it, including a lawyer the court would appoint for free. You are allowed not to sign, and your officer may then take the problem to the judge another way, such as a violation report. You have a right to a lawyer before the court changes your conditions or lengthens your term, so call the Federal Defender before you decide.

Which means two questions are worth asking your own officer, in writing.

1. Under what authority are you imposing this, and is it a statute or a policy?
2. Does signing this waive my right to a hearing in front of a judge?

Do not sign a waiver you have not read. Chapter 16 covers what to do when one is put in front of you.

Home visits and searches

Your officer will probably come to your home, often without calling first, and sometimes in the evening or on a weekend. The standard federal condition says you must allow the officer to visit you at any time at your home or elsewhere, and lets the officer take any prohibited item the officer sees in plain view. Check your conditions for a home visit rule if your case is a state case.

Let the officer in. Do not keep the officer waiting at the door while somebody cleans up, and do not leave by another door. A refused or delayed visit can be written up as a violation of its own.

Whether your officer can search, and whether the officer needs a reason first, depends on your conditions and your state. If your case is federal, check whether your conditions include the sample search condition the federal courts publish. That condition lets a probation officer search only with reasonable suspicion that you violated a condition and that the place searched holds evidence of it, and only at a reasonable time and in a reasonable way. It also says you must warn anybody you live with that the home may be searched, and that refusing a search may be grounds for revocation.

If your conditions allow a search, do not block it and do not argue at the door. If you think a search went past

what your conditions allow, tell your attorney afterward. As soon as the officer leaves, write down for your attorney the date, the time, who searched, what they searched, and what they took, and ask the officer for a list of anything taken. In a parole case, the Supreme Court has held that evidence from a search that broke the Fourth Amendment can still be used at the revocation hearing. Do not count on a different rule because you are on probation. Whether your state treats probation the same way, or gives you more protection under its own law, is a question for your attorney. Tell your attorney anyway, because the same evidence may be kept out of a new criminal case. The words earlier in this chapter about your right not to answer are for questions. Those words do not stop a visit or a search.

What other people keep in your home can count against you. A housemate's pills, a family member's gun, or alcohol in the refrigerator when your conditions bar alcohol can become your problem at a visit. Chapter 14 covers who you live with. If you live with family, tell them an officer may come by and may be allowed to search. Ask them to keep their own pills, alcohol, and anything else your conditions bar in a place that is theirs and not shared with you. Then ask your officer in writing whether that is enough.

How to handle the relationship

Be on time. Answer the phone, including numbers you do not recognize, because your officer may call from a blocked or office line. Keep room in your voicemail box and return a missed call the same day. Report what you are required to report, accurately, including the bad thing, because officers usually find out and finding out late costs you more.

Ask your questions in writing when the answer matters, so there is a record of what you were told.

If you think your officer is treating you unfairly, stay polite, follow the instruction, and ask in writing to speak with your officer's supervisor. Tell your attorney too.

My officer's name, number, what they have told me they can do, and what I have signed:

4. Your Attorney, and What the Job Actually Is

A lot of people hold something back from their own lawyer. Some of it is shame. Some of it is a belief that the lawyer is part of the same building as everybody else in the courthouse and will use what you say. Some of it is simpler: you are hoping that if nobody says the worst fact out loud, it might not count.

It counts. The question is only when your lawyer finds out.

What the job is

Your attorney is not trying to make this not have happened. Nobody can do that. The work is the distance between the worst outcome available to you and the best one, and that distance is usually wider than people think. It is made of things like which charge you plead to, whether a violation is treated as technical, whether you serve time or serve conditions, whether the record says one thing or another in five years, and whether a judge hears your situation before deciding or after.

Every one of those is worked with facts. Your attorney is building a plan out of what actually happened, and a plan built on a version of events is a plan that falls apart in the room.

Why hiding a fact cannot work

The State will put its facts on the table. Lab reports, a police narrative, a probation officer's report, a witness. Those arrive on a schedule you do not control.

If your attorney already has the fact, there is time. Time to check whether the lab did the confirmation test, to find the witness who says the other thing, to get your employer on the phone, to call your prescriber, to go to the prosecutor first, to decide whether a plea is better than a hearing.

If your attorney learns it when the prosecutor says it out loud, there is no time. The same fact, arriving later, is worth less to you. That is the whole argument, and it does not require you to trust anybody. It only requires you to notice that you are choosing the moment your own lawyer finds out, and that the worst available moment is in the courtroom.

What your attorney may repeat

A lawyer may not reveal what you say about your case. There are narrow exceptions, mostly about preventing serious harm to somebody. Every state has its own version of the rule, so your lawyer can tell you what the exceptions are in your state.

Talk about your case with your attorney alone. Ask your attorney before anybody else sits in or listens on the call, and treat every call and message from a jail as recorded. Your attorney also may not put evidence in front of a

court that your attorney knows is false. What your attorney can do is build the best case the true facts allow, which is one more reason to give your attorney the true version early.

The rule exists for this exact problem. The official comment to the national model rule says the point is that a client is encouraged to communicate fully and frankly with the lawyer, even as to embarrassing or legally damaging subject matter. The lawyer needs that information to represent the client. The confidentiality was built so you could say the bad part.

Which lawyer is yours

You will meet several. The prosecutor is a lawyer. The judge is a lawyer. The lawyer who handled your case two years ago is not your lawyer on this one. Yours is the one appointed to this matter or hired for it, and yours is the only one with a duty to you.

Your officer is not your lawyer. Chapter 3 covers what your officer does. Whatever your relationship with that person is, it is not this.

If you cannot reach your attorney

Leave a message with your full name, your case number, the number to call you back, and one sentence about what happened and when. Call again the next morning. Ask the front desk whether another lawyer in the office covers for yours.

If a deadline is coming, such as a report your conditions require, meet the deadline anyway, on time and truthfully, and keep calling your attorney. In an emergency, call 911 first. If your case is closed and nobody represents you now, Chapter 20 covers what to do.

What your interests are, and who decides

You decide what you are trying to get. In a criminal case the decision about a plea is yours, after talking it through. Whether to testify is yours. Your lawyer owes you their judgment about how to get there and has to tell you honestly when what you want is not available.

Which means your lawyer has to know what you actually want. Somebody who needs to keep a job, somebody who needs to not lose a child, and somebody who needs the shortest possible sentence are three different clients with three different plans, and the plan comes out wrong if your lawyer is guessing.

If you are not a U.S. citizen, or you are not sure, tell your attorney at the first meeting. Your immigration status can change which plea is best, and it is protected like everything else you tell your attorney.

When your phone number or your address changes

This is the most common way people lose a case they were not losing.

Your lawyer reaches you about court dates, hearing changes, plea offers with deadlines, and documents that

need signing this week. A lawyer who cannot reach you for two weeks cannot do the thing that had to happen in two days. An offer that expires on Friday and a client reached on Tuesday is the same as no offer at all.

Court mail goes to the address on file. So does your officer's mail. A notice you never received is still a notice you missed, and missing a court date produces a warrant.

In early recovery, there are good reasons to change a number. Getting a new phone so the old contacts cannot reach you is a sound move. Leaving a place that was not safe is a sound move. Going into a program and losing the phone happens. Every one of those is the right call and none of them tells your lawyer anything.

So make it a rule with no judgment in it. The number changed, so you make the calls.

1. Call your attorney's office the same day and give the new number, the new address, and a second number belonging to somebody who can reach you.
2. Call your officer the same day with a new phone number. A new address is different. Most conditions require your officer's approval before you move. The federal condition requires notice at least ten days before a move, or within 72 hours if you could not know in advance. Going into a residential program, a detox stay, or a recovery residence counts as a new address, so ask first. If an emergency made you leave before you could ask, call your officer that same day

and say where you are staying. Your conditions sheet, which is Chapter 5, has the exact rule.

3. Ask both of them to confirm they have updated it. A number given to somebody who did not write it down is not a number on file.
4. Ask the clerk of court how to update your address on the case, because the clerk's file is not your lawyer's file.
5. Write the date you made each call on the Who I Told page at the end of this book.

If you have already gone a while without updating anybody, call today anyway. A lawyer who hears from you is in a better position than a lawyer who is guessing, and that holds no matter how long it has been.

Before your next meeting

1. Write down your questions for your attorney. Do not write down what happened. Plan to say all of it out loud, including the part you do not want to say.
2. Write down what you are trying to protect, in order. Name the job, the kid, the housing, the license. If you are not a U.S. citizen, or you are not sure whether you are, write that first.
3. Bring the paper. Your conditions, your notices, your test results, your pay stubs.
4. Say the worst thing first. It gets easier after and it is the thing your lawyer most needs the time to work with.

5. Ask what the realistic range of outcomes is, and ask what would move you from the bad end to the better end.
6. Confirm the phone number and address they have for you, out loud, before you leave.

The questions I need to ask my attorney, and what I am most trying to protect:

5. The Conditions You Agreed To

There is a document with your signature on it listing what you must do and must not do. It is the single most useful piece of paper in your case and most people have never read it through.

Find it. If you cannot find it, ask your officer for a copy and ask the clerk of court for a copy, because they are separate files and either might have it.

Why reading it beats asking

Almost nothing about conditions is national. A federal case has some conditions every person gets, a set of standard conditions most federal judges impose, and special conditions the judge adds for your case. All of them are written in the judgment the court entered in your case. In a state case the conditions are in your sentencing order, your plea agreement, your parole certificate, or, if you are in diversion, your diversion agreement.

That means a question like "am I allowed to leave the state" has no general answer. It has an answer in your document. Chapter 14 covers travel and moving, and the honest instruction in that chapter is the same as this one: read the paper you signed.

Read it with a pen

Go through it once and look for four things.

1. Anything with a deadline or a number in it. Days to report an address change, hours of community service, a payment date, a curfew time.
2. Anything you are already not doing. Do not mark these on the paper. Tell your attorney, out loud, at your next meeting.
3. Anything you do not understand. Write the question in the margin.
4. Anything that looks impossible. A condition requiring a class that costs money you do not have, or reporting during hours you are at work, is a problem to raise now rather than after you have missed it.

Standard and special conditions

Most orders have a block of standard conditions that everyone on supervision in that court gets, and then special conditions written for your case. The special ones are where treatment, testing, no-contact orders, curfews and restrictions on who you live with usually sit.

The special conditions are also the ones most often changed. If a condition is impossible, your attorney can ask the court to modify it, and that is a request with a process rather than a favor.

Your officer's instructions

Most orders also require you to follow your officer's instructions. The standard federal condition says you must follow the instructions of the probation officer related to the conditions of supervision. Check your state

order for a similar line. Either way, an instruction your officer gives you out loud is usually binding even though it is not printed on your paper. Ask for an important instruction in writing when you can, and if you cannot, write down the date, the officer's name, and what you were told.

If you think an instruction goes past your conditions, follow it, ask in writing which condition it rests on, and take the question to your attorney. An instruction to stop a prescribed medication is different, and Chapter 8 covers it.

Who you spend time with

If your case is federal, one standard condition matters in recovery more than people expect. You need your officer's permission before you knowingly talk to or spend time with somebody you know has a felony conviction. That can include a mentor or sponsor, a housemate in a recovery residence, a peer counselor, or somebody you see at a meeting. Tell your officer who these people are and ask for permission in writing.

The same federal condition bars you from talking to or spending time with somebody you know is engaged in criminal activity, and no permission covers that. A housemate or a friend who is using again can fall under it. If that happens, ask your attorney how to handle it.

A state order may have a similar rule about people with records or people who use. Read yours for it. If you live in

a recovery residence, ask your officer in writing how the rule applies to the house.

If a condition is impossible

Say so before you break it. A modification asked for in advance is an ordinary motion. The same request made after a violation is an excuse, and it arrives in a room where somebody is already deciding whether you are compliant.

Bring your attorney the condition, the reason it cannot be met, and what you are proposing instead.

The conditions I cannot meet, and what I am proposing instead:

6. Reporting

Reporting is the part of supervision many people fail on, and it has the least to do with recovery. A missed appointment says nothing about whether you are staying stopped, and it can still be written up as a violation.

The mechanics

Know the day, the time, the place and the method. Some offices want you in person, some take a phone check-in, some use an app or a kiosk, and some change the method without telling you clearly.

Put every appointment in two places: a paper calendar and a phone alarm set for the day before and the hour before.

If you wear a monitor, charge it on the schedule you were given and keep the charger with you. A dead battery, a missed curfew, or a strap alert can be reported the same way a missed appointment is. Call the monitoring number or your officer as soon as something goes wrong with the device.

If you cannot make it

Call before the appointment, not after. A call before is a scheduling problem. The same call after is a missed report.

Ask what the office's rule is for rescheduling, and write down the answer and who gave it to you.

A voicemail or a text does not move the appointment. The appointment moves when your officer, or the officer on duty, gives you a new time. Write that time down. If you are in a hospital, a detox unit, or a jail on your report day, have somebody call your officer that day and say where you are.

If you miss one, call the same day. Do not let a missed appointment sit, because a missed report that nobody has explained starts looking like absconding, which means dropping out of contact so your officer cannot find you. Chapter 18 covers what happens then.

What to bring every time

Your folder. Pay stubs if employment is a condition. Attendance sheets. Payment receipts. Prescriptions.

Bringing proof unasked is cheap and it builds a record of compliance in somebody else's file, which is where you need it to be.

What to say

Answer the questions you are asked, truthfully. Report what your conditions require you to report, on time.

You are not required to volunteer more than that. Chapter 3 covers where your candor belongs. You can still be plain and polite, and talk about your work, your treatment, and your plans. Some offices use a long set of questions to decide how closely to supervise you. Answer those truthfully too.

If a question could show a new crime, going quiet is not enough to protect you. Chapter 3 has the words to say out loud, and the questions those words do not cover. Never give your officer a false answer.

If you move or your number changes

A new number means two calls the same day, to your attorney and to your officer. A new address means asking your officer before you move, or calling the same day if an emergency moved you first. Chapter 4 has the rule and the back of this book has the page to write it on.

My reporting day, time, place, method, and what I bring:

7. Drug Testing on Supervision

Testing is where supervision and recovery collide hardest, because a result can be wrong, and because a result that is right is still a legal event rather than only a medical one.

Two kinds of test

A screening test is fast and cheap. It is usually an immunoassay, and it reacts to a class of substances rather than to one specific drug, so other things can set it off.

A confirmatory test is a different and more precise method that identifies the specific drug. Federal workplace testing programs require a confirmatory test before a screen is reported as positive.

Those federal workplace rules do not govern your supervising agency or its laboratory. Some agencies confirm every positive and some act on the screen alone. Which is exactly why the questions below are worth asking rather than assuming.

If your case is federal, the statute says when a positive is confirmed. A positive is subject to confirmation by a more precise laboratory test only if you could go to prison for it, and either you deny that the result is accurate or there is another reason to question it. So if you believe the result is wrong, say so, tell your attorney the same day, and ask for the confirmation in writing.

When you are called to test

Know how you are told to test: a call-in line, a color or number code, a text, or an officer telling you in person. Check it every day your schedule requires.

Go the day you are called, and give the sample in the time you are allowed. Expect somebody to watch you give it. If you have trouble giving a sample while somebody watches, tell your officer before your next test and ask what the program allows.

Missed, diluted, or refused tests

Your conditions or your program's rules say how a missed test, a sample you could not give in time, or a diluted sample is treated. Check them, because some programs count each of those the same as a positive or as a refusal. The national standards for treatment courts say samples should be checked routinely for dilution and tampering. Drinking a lot more water than usual before a test can make your sample come back diluted even when you did not mean it to. If a medical condition or a medication makes your samples dilute, or makes it hard to give one, ask your doctor for a letter, and give copies to your officer and your attorney.

Never stall, swap, or tamper with a sample. Federal testing conditions say you must not obstruct or tamper with the testing methods, and in some states tampering is also a crime, which Chapter 21 covers.

In a federal case, refusing to comply with drug testing makes revocation mandatory. At least one federal appeals court has treated repeated missed tests with no good explanation as a refusal. Do not count on a missed test being treated more gently than a positive.

If you miss a test for a reason, such as a hospital stay, a ride that did not come, or a shift you could not leave, call your officer that day and keep the proof. The reason only helps you if somebody can show it later.

What to ask after a positive

1. Was a confirmatory test run, and by what method?
2. What was the cutoff level, and what was my number?
3. Which laboratory ran it, and can I have a copy of the report?
4. Is any portion of my sample preserved, and can it be retested?
5. What is the process for challenging a result in this court?

Ask in writing. Ask the same day.

If you are handed an admission form

Some offices ask you to sign a form admitting use, sometimes before any lab result comes back. A signed admission makes it much harder to question the test later, and in a federal case an admission can be treated as possession, which Chapter 16 covers. You can decline to sign the form. Say, "I want to talk to a lawyer before I sign

anything," and call your attorney the same day. If you believe the result is wrong, say so plainly: "I dispute this result and I want it confirmed by the lab." Never deny use that happened.

Declining can change what happens next. In some offices a signed admission is how a positive gets handled inside the office, and declining means the sample goes to the lab and the officer reports it to the court. Ask your attorney ahead of time which way your office works. If your officer then asks you out loud whether you used, Chapter 3 and Chapter 21 cover what to do. If you are not a U.S. citizen, a signed admission of use can also be used in an immigration case, so make that call to your attorney before you sign.

Declining to sign a form is different from refusing a test. Always give the sample when you are told to.

If you are in a drug court, ask your attorney at entry how that court handles admission forms, and follow that answer. Chapter 11 explains why.

Tell your attorney before the lab does

This is the chapter where people wait and hope. If you used, your attorney needs to know before the report lands, because the time to request a retest, to check the confirmation, or to go to the prosecutor first can be short, and it depends on your court and the laboratory.

A positive your attorney knew about on Monday is a problem with options. The same positive, first heard in a hearing room, leaves your attorney far fewer options.

Prescriptions and the things that confuse a screen

Keep your prescriptions in your folder and tell your officer about them before a test, not after one comes back. Tell every doctor, dentist, and emergency room that you are in recovery and on supervision before they prescribe anything. When you get a new prescription, bring the bottle or the paperwork to your officer at your next report, or sooner if your conditions say so. If an emergency room gives you a pain medication, keep the discharge papers and bring them too. Chapter 8 covers medication for addiction specifically, including the paperwork to carry.

If you are taking something that was not prescribed to you, your prescriber's letter will not cover it, and your attorney needs to know that too.

A state medical marijuana card may not protect you on supervision. Marijuana is still a controlled substance under federal law, even where your state allows it. In April 2026 the federal government moved marijuana covered by a state medical license to a less strict schedule, and it is still a controlled substance. That change does not tell you what your conditions allow. Products sold as CBD or hemp can contain enough THC

to show up on a test. Ask your officer in writing before you use any of them, and tell your attorney.

If you are not a U.S. citizen, marijuana use can hurt an immigration case or an application for citizenship even where your state allows it and even with a medical card, because federal immigration law uses the federal list of controlled substances. Ask an immigration lawyer before you use it or take a job in a marijuana business.

Read whether your conditions bar alcohol, even if alcohol was never your drug. Some alcohol tests can detect drinking from further back than a breath test can. Ask your officer in writing which products your testing program tells people to avoid, such as mouthwash or hand sanitizer that contains alcohol, and keep the answer in your folder.

If your conditions say no alcohol and you drink heavily every day, talk to a doctor before the date you have to stop, because alcohol withdrawal can be dangerous. If somebody in withdrawal has a seizure or becomes confused, call 911. The Safety page at the front of this book covers alcohol withdrawal.

A federal case is different

If your case is federal, a positive is not only a report. Chapter 16 explains why. The short version is that the statute makes revocation mandatory on some testing outcomes, including refusing a test, and some federal courts treat even one positive test as possession, which

also makes revocation mandatory. For failed tests the statute also tells the judge to consider whether treatment is a reason for an exception.

My testing schedule, my prescriptions, and what I asked after my last positive:

8. If You Take Medication for Addiction

Buprenorphine, methadone, and naltrexone are prescribed treatments. People on supervision take them, and some courts and some officers have told people to stop. Know where you stand before anybody raises it with you. Book 4 in this library, Medications for Addiction, Explained, covers how these medications work. If somebody has told you to stop or switch, start with the steps below. The law behind them comes after.

What to do if you are told to stop or switch

The same steps apply if you are told to switch to a different medication. Only your prescriber decides that.

1. Do not stop on your own. Stopping buprenorphine or methadone suddenly can cause withdrawal, and it lowers your tolerance, which raises your risk of overdose if you use. Your prescriber is the person who decides anything about your dose. If you are in withdrawal, call your prescriber or a doctor today. If somebody is overdosing, call 911 and use naloxone if you have it.
2. Call your attorney the same day and say who told you to stop, and when.
3. Ask for it in writing. "Can I get that in writing, please." If a judge says it from the bench, it is an order even before it is written down, and your attorney is the person to challenge it. Do not argue it out in the courtroom yourself. If the judge asks you about it, you

can say, "Your Honor, my prescriber has me on this medication. I would like a lawyer to address it."

4. Ask your prescriber for a letter stating the diagnosis, the medication, and that it is medically necessary. Keep a copy in your folder and give a copy to your lawyer.
5. Ask, in writing, for a reasonable modification of the rule so you can keep taking your medication. That is the term the ADA rules for courts and other public bodies use, and many people call it an accommodation. If the rule comes from a program or a court office, send the request to them. A court system with 50 or more employees must have an ADA coordinator and a grievance process, so ask the clerk for the coordinator's name and send a copy there too. The coordinator cannot change a judge's order. If a judge ordered it, the request goes to that judge as a motion, and your attorney files it.
6. Call your state's protection and advocacy agency for people with disabilities. Every state has one, and the help is free. It cannot take every case, so call early and say plainly that a court or program is telling you to stop a prescribed medication for opioid use disorder. The federal Administration for Community Living has a search tool at dial.acl.gov. Type in where you live and it shows your state's agency. You can also search the web for the name of your state and the words protection and advocacy. Your local legal aid office and a law school clinic are other places to ask.

If your case is federal, items 5 and 6 do not work the same way, because the ADA does not cover federal courts or U.S. Probation. Your attorney can ask the judge to change the condition, and Chapter 3 describes that hearing. Bring your prescriber's letter to your attorney the same day.

What the law says

Opioid use disorder is usually a disability under the Americans with Disabilities Act. Medication you take under the supervision of a licensed health care professional is not illegal drug use under that law, whatever anybody in a hallway tells you.

That protection has a limit. The ADA does not protect a person who is currently using drugs illegally when a court or program acts because of that use. A recent positive for something you were not prescribed can weaken an ADA argument about your medication, so tell your attorney about any recent use before anybody raises the ADA for you. The same law does say a person who is otherwise entitled to health care or drug treatment services cannot be denied them because of current use. Chapter 21 covers what to do if you have used.

State and local courts and agencies are covered by Title II of the ADA. Federal courts, U.S. Probation, and federal prisons are not, and the steps above work differently in a federal case. In February 2022 the United States Department of Justice found that the Unified Judicial System of Pennsylvania violated the ADA by prohibiting or

limiting medication for opioid use disorder for people under court supervision. One county court there had ordered all probationers to stop taking their prescribed medication. Another required a woman to stop taking hers in order to graduate from drug court. The Department said other county courts in that state had treatment court policies that discriminate the same way.

The United States then sued, and the case settled in January 2024. The Pennsylvania court system paid $100,000, agreed to train its criminal judges and treatment court staff on the ADA and this medication, and agreed to encourage its courts to let people under supervision take lawfully prescribed medication for opioid use disorder. None of that is an order that reaches your court, and nobody should tell you it is. It does show that the Department of Justice treats this practice as a violation of federal law, and that record is worth putting in front of the person who is asking you to stop.

Tell your attorney what you actually take

Your prescriber's letter covers what you are prescribed. It cannot cover anything else. If you have taken something that was not prescribed to you, your lawyer needs that before the drug screen comes back, not after, because a prescriber letter offered in answer to a positive that it does not explain costs you more than saying nothing would have.

Who decides what

Your prescriber decides your medication. A judge, or for parole a board, decides the conditions of your supervision. An instruction about your medicine from anybody who is not your prescriber is worth writing down with the date and the name. Chapter 5 covers how your officer's other instructions work.

If you are not a U.S. citizen and you need an immigration medical exam, know how the doctor who does it looks at addiction. Under the federal instructions for those doctors, a substance use disorder involving a controlled substance keeps a person from getting a green card unless it has been in sustained remission. Sustained remission there means at least 12 months in a row without meeting the criteria for the disorder, checked by at least four random drug screens. Methadone or buprenorphine taken to reach that remission does not count as use of a controlled substance. Do not stop a prescribed medication because of an immigration worry. Before you schedule the exam, talk to your prescriber and an immigration lawyer.

If you are taken into custody

Say on the way in that you are prescribed medication for opioid use disorder, name the medication, and name the prescriber. Ask that it be put in the booking record. Ask your lawyer or your family to call the jail's medical provider the same day.

State and local jails and prisons are covered by the same part of the ADA as state courts. A federal prison is not. It is covered instead by the Rehabilitation Act, which reaches programs run by federal agencies, and your attorney can tell you how to use it. If the jail will not continue your medication, tell your lawyer, then file the jail's written grievance about it right away and keep a copy. Federal law requires a person in custody to use the jail's own complaint process before a court will hear a claim about jail conditions, and the deadline for that process can be short. If you start to go into withdrawal, tell the medical staff and ask to see a doctor.

When you get out, even after a few days, your tolerance may be lower than when you went in. The first days and weeks after release are when the risk of overdose is highest. Before you leave, ask the medical staff how you will get your next dose and whether they give out naloxone. If you use after you get out, do not use alone, and have naloxone with you. If somebody is overdosing, call 911.

My medication, my prescriber, and who has told me to stop:

9. What Your Treatment Program Tells Your Officer

You will be asked to sign a release early, usually at intake, usually in a stack of other paper. That signature is what lets your treatment program talk to your officer, and what it covers is narrower than most people assume.

What the rule is

Federal rules protect substance use disorder treatment records. A program covered by those rules may give your records to people in the criminal justice system who made treatment a condition of how your charges are settled, or of your release. That can include a prosecutor, the court, and your probation or parole officer. Three things have to be true for that disclosure.

First, you signed a written consent that meets the federal requirements. Second, the disclosure goes only to the people who need the information to follow your progress. Third, those people may use what they receive, and pass it on, only to carry out their official duties connected to the release or the condition the consent was given for.

This special rule applies only when treatment was made a condition of your case or your release. If you went to treatment on your own and later signed a release so the program could talk to your officer, the ordinary rule applies, and you can generally take that release back in

writing at any time, except for what was already shared. Ask your program which kind of release you signed.

What your consent has to say

Your consent has to state how long it lasts. That period has to be reasonable for how long your treatment is expected to run, what kind of case you are in, and when your case will be finally resolved.

It also has to state when you will be able to take it back: after a set amount of time, or when a specific event happens, such as the end of your probation. That point can be no later than the final outcome of the case or release the consent was signed for. Until that time or event arrives, you cannot take this consent back. Most medical releases can be canceled in writing at any time. This one cannot, so read it knowing it may stay in force for your whole case.

What to do before you sign

1. Read the duration line. If it says something open-ended, ask what event ends it.
2. Read the line that says when you can take the consent back, and find the date or the event. If the line is missing or the event is vague, ask for it to be fixed before you sign, because the rule requires it. Show the form to your attorney first if there is any way to do that.

3. Ask who the named recipients are. A consent that names an agency rather than a role is broader than one that names your officer.
4. Ask what will actually be sent. The rule requires the consent to describe the information in a specific and meaningful way. A line such as "attendance, test results, and progress in treatment" is one you can read and check. A line such as "all records" is broader than most officers need. Your counselor's separate notes about your sessions need their own consent. If a form asks for those notes, ask why and talk to your attorney first.
5. Keep a copy. If you were not given one, ask for one before you leave the building.

Read your own file before anybody else does

Ask your program for a copy of what it has sent or will send, and give it to your lawyer. A counselor's note written in a hard week can read differently to a judge than it read to you, and your lawyer reading it for the first time at the same moment the court does is the worst version of this.

What this does not cover

These rules protect the records of a treatment program they cover. Anything you say to your officer directly is not one of those records. A mutual aid meeting that is not a treatment program is not covered either. The protection

runs with the program and the record, and not with the subject.

Keep telling your prescriber the truth about any use. Your prescriber needs to know in order to keep your treatment safe. If you are worried about what will reach your officer, ask the program what it sends, and tell your attorney.

Your treatment records are also protected from being used against you in a new case. A program's records cannot be used to bring charges against you, or as evidence against you in court, unless you sign a separate consent for that purpose or a judge issues a special order under the rule. The consent you signed for your officer covers your officer's work on this supervision, and that includes a violation hearing. What your program sends under that consent can be used there. If a prosecutor or anybody else asks your program for records about a new charge, tell your attorney the same day.

These rules were updated in 2024, and programs had to follow the updated version by February 16, 2026. One change gives you the right to file a complaint with the program and with the U.S. Department of Health and Human Services if you think your records were shared in a way the rules do not allow. If your case is open, tell your attorney before you file.

The consent I signed, when it ends, and who it names:

10. Treatment Ordered by a Court

Treatment you chose and treatment a court ordered are the same clinical thing and two different legal things. The difference is that somebody is watching whether you attend, and your attendance is now evidence.

What the order actually says

Get the order and read what it requires. An order to complete treatment, an order to attend an assessment, an order to follow all recommendations of an assessment, and an order to attend a specific named program are four different obligations, and the third is the broadest. Following all recommendations can mean a program you cannot afford or cannot reach.

In a federal case the treatment condition usually says your probation officer supervises your participation, including the provider, the location, and how often you go. If you already have a program or a prescriber that works for you, ask your officer in writing whether you can stay with them. Read whether your judgment orders you to pay part of the cost.

If that is your condition, Chapter 5 covers asking for a modification before you fail it rather than after.

Keep your own attendance record

Programs lose paperwork. Ask for a signed attendance sheet every time and put it in your folder the same day.

When a program reports your attendance wrongly, the only thing that fixes it quickly is your own dated copy.

What gets reported, and what you signed

The release you signed at intake controls what your program sends to your officer. Chapter 9 covers that document in detail, including the lines in it that have to state how long it lasts and how you can revoke it.

Read your own file before anybody else reads it to you. A counselor's note written in a bad week can read very differently to a judge, and your attorney seeing it for the first time in a hearing is the worst version of that.

If the program is the problem

Programs vary and some are bad. If yours is requiring something that conflicts with your medical care, or charging fees you were not told about, or refusing to document your attendance, that is information for your attorney rather than a reason to stop going.

Do not stop attending while you sort it out. Do not switch programs on your own either. Ask your officer in writing to approve the new program before you leave the old one, and keep the approval in your folder. A gap in attendance can be charged as a violation whatever caused it, and the fix is a modification asked for in writing.

Medication

A program that requires you to stop a prescribed medication for opioid use disorder may be breaking the

same law Chapter 8 covers. A program run by a county or a state falls under the part of the ADA that covers courts. A private program falls under the part that covers private businesses, which includes health care providers. Chapter 8 has the paperwork to carry and the agency to call.

My order, what it requires exactly, and where my attendance records are:

11. Drug Court and the Other Problem-Solving Courts

Drug court can be a much better result than the alternative. It is also harder than ordinary probation in the first months, it is a program you can be thrown out of, and what happens then is usually decided by a document you signed on the way in.

There is no national rulebook

These courts run on individual state statutes, state court rules, or local practice, and courts in neighboring counties can work differently.

So the documents that govern your case are your participation agreement and the program's participant handbook. The handbook is usually where the phase rules, the sanctions, and the graduation requirements are written. Get both before you enter, read all of both, and keep them in your folder. The national standards say staff should explain the handbook to you before you are admitted, not just hand it over.

Two questions to answer before you enter

What happens to the charge if I graduate? In some courts you have not pleaded yet and finishing ends the case. In others you pleaded on the way in, and the plea stands while the sentence is held. The national best practice standards for these courts, published by All Rise, the professional association for treatment courts, say a

participant should get a reduced or dismissed charge, a vacated plea, or, where state law allows it, an expunged record as the reward for finishing, and should be told in advance and in writing what voluntary withdrawal will cost them. Ask your attorney for that explanation in writing before you enter.

What happens to me if I am terminated? In a post-plea court that number is often already fixed by the plea agreement. Ask for it in writing before you enter, because a sentence you learn about on the day you are terminated is a sentence you never got to weigh.

Then put the program next to the offer you would get without it. Ask how long the program usually runs, how often you will be in court and tested, what it costs, and what the agreement asks you to give up, such as a right to a speedy trial, a release of your treatment records, or consent to searches. If you are not ready to stop using, tell your attorney before you enter. Your attorney can only weigh the choice honestly with that fact. The national standards call for testing at least twice a week until a person reaches early remission, which this chapter explains below. In a DUI court, also ask how the program fits with your driver's license suspension and any ignition interlock requirement, because the state's motor vehicle agency usually handles those separately. Chapter 24 covers the license.

If you are not a U.S. citizen, ask your attorney three things before you enter. Does this court require a plea, a written statement of the facts, or an admission? Is there a way in with no plea and no admission? Has an immigration lawyer looked at the agreement? A plea, or an admission of facts that would be enough to find you guilty, can count as a conviction for immigration once the judge orders conditions, and a plea vacated or a charge dismissed when you graduate usually still counts. Chapter 24 explains why.

Honesty in drug court

A drug court runs differently from ordinary probation. You see the judge often, and the national standards call for a court date at least every two weeks in the first two phases and at least once a month after that. The judge talks to you directly and asks how you are doing, including whether you have used. Participation agreements usually expect you to be honest about use.

Your defense attorney is part of the court's team and is still your lawyer. The national standards say the defense attorney on the team does not share sensitive information or rule breaks without your consent, except when that is needed to protect you or somebody else from an immediate and serious threat to safety. In some courts the defense attorney on the team is not the lawyer who handled your plea, so ask at entry who represents

you and what that attorney repeats in team meetings. Then tell your lawyer everything, the way Chapter 4 says.

The national standards list truthfulness, especially about earlier rule breaks, including use, among the things a drug court should reward. They also say that if you deny use after a positive screen, part of the same sample is sent for a more precise test.

Before you enter, ask your attorney four questions. How does this court expect me to answer the judge and the team about use? What happens when I tell them about use before a test shows it? How does this court handle admission forms? If I am terminated, can what I told the judge and the team be used at my sentencing or in a new case? Chapters 3, 6, 7, and 21 are written for ordinary probation. In a drug court, follow the plan you and your attorney make from those answers, and do not lie to the judge or the team.

If you are not a U.S. citizen, ask an immigration lawyer before you enter how what you say about use in court could be used in an immigration case. What you tell the judge goes on the record. Make the plan with both lawyers before your first court date, and do not lie to the court.

What the standards say about sanctions and termination

The same national standards say a drug court should respond to use by a person with a compulsive substance use disorder by adjusting that person's services, such as

treatment, not by sanctioning the person, until the person is in early remission. The standards define early remission as at least 90 days without the symptoms that get in the way of treatment or of staying stopped. They say a jail sanction should last no more than three to six days, and should not be used for drug or alcohol use before a person is stable and in early remission.

The standards do allow sanctions. Sanctions are meant for breaking rules the team has decided you are able to follow now, and the handbook or the team should tell you which rules those are. Once your treatment providers tell the team you have been stable long enough, staying stopped becomes one of those rules, and use can bring a sanction. Jail is meant for repeated breaks of those rules after warnings and smaller sanctions have not worked, or for behavior that puts public safety at risk. The standards say use by itself does not show a risk to public safety, and that jail should not be used to reach treatment goals. Before any sanction, the standards say you should get a fair chance to give your side, and a clear reason for the sanction the judge picks. Ask your attorney to speak up for you if you do not get either one.

The standards say a person should be discharged as unsuccessful only after a hearing like a probation revocation hearing, and only if the judge finds, by clear and convincing evidence, one of three things. The person is a serious and immediate risk to public safety that the program's best efforts cannot prevent. The person chose

to quit, even after the staff's best efforts. Or the person is unwilling to get treatment, or keeps refusing or neglecting it. Continued use alone is not on that list. Courts do not all use the clear and convincing standard, so ask your attorney which one your court uses. The standards also say a person should not get a harsher sentence for failing to respond to treatment that was not adequate. Where the treatment you needed was not available and your state's law allows it, they say you should get day-for-day credit toward your sentence for your time in the program.

The standards are recommendations, not law, and courts differ in how closely they follow them. If you are facing a jail sanction for use or a termination, ask your attorney whether to put the standards in front of the judge.

The hearing question, which is the one people do not know to ask

Whether you get notice and a hearing before being thrown out depends on your state. The courts in different states have not answered it the same way, and the answer in yours is a specific question for your attorney.

In some places the paper you sign on entry tries to waive that hearing in advance. Whether a waiver like that holds up is also a question about your state.

Which gives you three questions for your attorney, and they are worth asking before you sign anything:

1. Do the courts in my state require a hearing before I can be thrown out?
2. Does my participation agreement say I give up that hearing, and would that hold up here?
3. If I am terminated, will the drug court judge also sentence me, or will a different judge?

If the drug court judge will decide the termination, ask your attorney whether to ask for a different judge. If the court moves to terminate you without a hearing, ask your attorney to object on the record. Both requests have to be made in the drug court, before or at the hearing. In Oklahoma, for example, the appeals court said a judge who sat on the drug court team should step aside from the termination if the participant asks. It also said a participant who never asked lost the issue on appeal.

Medication, again

The recognized national standards for these courts say a person on medication for addiction is not required to reduce or stop it to finish the program. They also say a court should not deny entry, sanction, or discharge a person for taking a medication as prescribed, and that a sanction should never be an order to stop a medication unless a qualified medical practitioner orders it. Moving up a phase is not supposed to depend on your dose or your medication. Those standards are a professional

association's recommendations rather than law, so they do not entitle you to anything. They are still worth putting in front of a judge, and Chapter 8 has the authority that carries more weight.

What the standards say about eligibility

Those same standards say eligibility and exclusion criteria should be objective and written down, and that the team should not apply subjective criteria or personal impressions. If you were turned away and nobody could tell you which written criterion you failed, that is worth asking about in writing.

When you graduate

Ask for the phase rules and the graduation requirements in writing when you enter, and keep them in your folder. Ask what moves you up a phase and whether a slip can send you back. The national standards say a person who slips on a goal they had already been meeting should not be sent back to an earlier phase or to the start. Ask whether unpaid fees can hold up your graduation. The national standards say any fees should be set on a sliding scale by what you can show you are able to pay. If you cannot pay, Chapter 13 covers what to ask for.

Graduation is not finished until the court enters the order. Get a copy of the signed order that dismisses the charge, reduces it, or vacates the plea, whichever your agreement promised. Then ask the clerk to show you the

docket and confirm the order is on it. Clearing the record may still be a separate step, and Chapter 23 covers that.

My agreement, what graduation does to my charge, and what termination costs me:

12. Fees, Fines, and Restitution

There are usually four separate obligations and people treat them as one pile. They are not one pile, they are owed to different places, and they behave differently.

What you owe, itemized

A fine is punishment set by the court.

Restitution is money owed to a victim. It is the hardest of the four to reduce or waive, and in many places it survives the end of your supervision. In a federal case, once restitution is ordered, the amount cannot be lowered because you cannot pay. What a federal court can change is the payment schedule. If your income drops, you are required to tell the court, and your lawyer can ask the court to change the payments.

Court costs and fees are charges for the proceeding itself.

Supervision fees are what you are charged monthly for being supervised, sometimes by the agency rather than by the court.

Get an itemized statement showing each one, the balance, and who collects it. Ask the clerk of court and ask your officer, because they often hold different pieces of it.

Waivers and conversions exist, and they are state by state

Chapter 13 covers what a court has to do before it locks somebody up for not paying. Before that point, whether a court must look at what you can pay depends on where your case is. A federal court imposing a fine has to weigh your income, earning capacity and financial resources, and that statute binds federal courts only.

Several states do have a procedure: an indigency form, which is a form saying you cannot afford to pay, an ability-to-pay hearing, a waiver provision, or authority to convert money into community service hours. Whether yours does is a question with a specific answer.

What to do

1. Ask the clerk whether your court has an indigency form or an ability-to-pay procedure, and ask for the form by name.
2. Ask whether your court can convert any of it to community service hours, and at what rate.
3. Ask which of the four obligations can be waived or reduced, because the answer is usually not restitution.
4. Ask for a payment plan in writing, and ask what one missed payment does.
5. Pay something every month if you can pay anything, and keep the receipt.
6. If you are in diversion, ask the program in writing whether it charges its own fees, whether it has a reduced fee or a waiver, and whether a missed

payment can get you thrown out. Keep the answer in your folder.

Who to call

Your public defender's office can usually tell you who handles waivers in your court, even after your case is finished. Many legal aid offices handle fines and fees for free. Call the one that covers your county and ask.

The itemized list, who collects each one, and what I have asked to be waived:

13. If You Cannot Pay

Supervision costs money. There are fees for being supervised, fees for testing, fees for classes, restitution, and fines, and they arrive while you are least able to pay any of them. The fear that you will be locked up over money is a reasonable fear and the law has something to say about it.

What the Supreme Court held

In Bearden v. Georgia, decided in 1983, the Supreme Court said what a court has to do before it revokes your probation and sends you to jail for not paying a fine or restitution.

First, the court has to ask why you did not pay.

If you really tried to get the money in a legal way and still could not pay, the court has to consider choices other than jail. It can send you to jail only if none of those choices is enough to punish and deter. The Court said that revoking probation automatically, without looking at those choices, is fundamentally unfair.

If you could have paid and chose not to, or you did not really try to get the money, the court can revoke your probation and send you to jail. The protection is for the person who tried and could not pay.

The case was about a fine and restitution. Whether the same rule protects you on supervision fees, court costs,

and program fees can depend on your state, so ask your attorney.

What real efforts to pay look like on paper

The court is being asked to find something about your efforts, and the finding is easier to make when there is a record of them.

Keep the job applications, with dates. Keep the pay stubs and the hours. Keep the denial letters from benefits. Keep the receipts for the partial payments you did make, because a person paying twenty dollars a month is making a different record from a person paying nothing. Write down the week your hours were cut and what you did about it.

Tell your lawyer where the money went

This is the chapter where people edit. Money that went somewhere you would rather not say out loud is still part of the picture. Tell your lawyer all of it, and your lawyer decides how to argue your case. If you sign a financial statement or answer questions under oath, everything in it has to be true and complete. Knowingly leaving money out of a sworn statement can be a crime of its own.

A record of real efforts to pay takes weeks to build. A lawyer who finds out on the morning of the hearing that there is a gap cannot build anything.

What to do when you cannot make a payment

1. Say so before the date, not after. Call your officer and ask what the process is for a payment problem.
2. Ask whether the court can waive, reduce, or convert the amount. Many courts can convert money to community service hours.
3. Ask for a payment plan in writing, and ask what happens if you miss one payment on it.
4. Keep paying something if you can pay anything at all.
5. If a hearing is set, tell the court you could not pay and why, and bring the paper, including a list of your monthly income and your monthly bills. Ask for a specific alternative to jail. The Supreme Court named three: more time to pay, a lower amount, or work or community service in place of the fine. Ask the judge to say on the record whether you tried and could not pay. If the judge still orders jail, ask the judge to say on the record why none of the alternatives is enough. Ask for a lawyer too. Chapter 19 explains when you are entitled to one.

Who to call

Your public defender's office, even after your case is over, can usually tell you who handles fee waivers in your court. Many legal aid offices handle these matters for free. Call 211 for emergency help with the bill that is about to be shut off, which is a separate problem from your court fees and should not be allowed to become the same

problem. Book 10 in this library, Money in Early Recovery, covers budgeting when the money is short.

What I owe, to whom, and what I have paid:

14. Travel, Moving, and Where You Live

Three questions get asked constantly and two of them have no general answer.

Leaving the state for a few days

In a state case there is no national rule for an ordinary trip. The interstate compact is the agreement among the states about moving supervision from one state to another. For most people the compact does not cover a trip of forty-five days or less. One group is different. If your supervision was already transferred to another state under the compact, a trip back to the state that sentenced you goes through a travel permit under the compact's rules.

Your travel rules come from the conditions document you signed and from your supervising agency's policy. Read the document, then ask your officer in writing and keep the answer.

Get the permission before you leave. Carry the written permission with you on the trip. If you will be late getting back, call your officer before your return date.

Under the compact, staying in another state for more than forty-five days in a row counts as relocating, whatever the reason. That includes a treatment program. Ask your officer before you agree to an out-of-state program.

If your case is federal, the standard condition in most districts says you must not knowingly leave the federal judicial district where you are allowed to live without permission first, from the court or the probation officer. A federal judicial district is not a state. A trip inside your own state can still cross into another district.

If you are not a U.S. citizen, do not leave the country, even with your officer's permission, until an immigration lawyer has looked at your case. A green card holder with a drug case can be treated as seeking admission when coming back, held at the airport, and put in front of an immigration judge. If officers hand you a form that gives up your green card, do not sign it. Signing it gives up your right to a hearing in front of an immigration judge. Ask for the hearing and call a lawyer.

Where you live

No national rule requires an officer to approve your address, but most conditions do. In a state case, read your conditions document for the rule. A move into a residential treatment program, a detox stay, or a recovery residence is a move, so ask before you go.

In a federal case, a court can set a residence condition, and the standard condition says you must live at a place your probation officer approves. You must give notice at least ten days before a change. If you could not know ten days ahead, you must give notice within seventy-two

hours. The condition also covers a change in who you live with, and not only a new address.

If you were convicted of a crime that could be punished by more than a year in prison, federal law bars you from having a gun or ammunition, even after supervision ends. That can include some state misdemeanors, and Chapter 24 explains which. Your state may have its own ban. If you have no conviction, read that part of Chapter 24 anyway, because one federal bar covers people who use drugs, with or without a conviction. A person on federal supervision may not have access to a gun, ammunition, or a dangerous weapon such as a taser. A gun kept by somebody else in the home can be a problem. Ask your officer before you move in with anybody, and ask about any gun in the house. Chapter 24 covers firearms.

Whatever your conditions say about approval, Chapter 4's rule about telling your attorney and your officer the same day applies anyway. Book 12 in this library, Finding a Safe Place to Live, covers recovery residences and other housing.

Moving to another state

If your case is federal, the interstate compact does not apply to you. A move goes through U.S. Probation and the court. Ask your officer in writing how a move works in your district, and do not move until your officer approves it.

After a federal move, the federal office where you live may supervise you while your original judge keeps the case. The judge can also transfer the case itself to the federal court where you now live, if that court agrees. Ask which one happened, because it decides which judge hears a violation.

If your case is a state case, moving has a set structure. Understand it before you plan anything.

Every state, plus the District of Columbia, Puerto Rico, and the Virgin Islands, has joined the Interstate Compact for Adult Offender Supervision. The compact's commission writes rules, and those rules have the force of law in member states.

Under the compact's mandatory transfer rule, the receiving state must accept your transfer if your sending state asks and four things are true:

1. You have more than ninety days of supervision left, or an indefinite period.
2. You have a valid plan of supervision.
3. You are in substantial compliance with your current terms.
4. You are a resident of the receiving state. Or you have resident family there who are willing and able to help, and you can get a job there or have another way to support yourself.

Resident family means a parent, grandparent, aunt, uncle, adult child, adult sibling, spouse, legal guardian, or

stepparent. That person must have lived in the receiving state for at least 180 days on the date the request is sent.

Four things about that rule that people get wrong.

Your sending state decides whether to ask. The rule opens with the words "at the discretion of the sending state." The receiving state has to accept only once the request is sent. You have no right to a transfer.

Residency has a definition. You must have lived in the state for at least a year in a row right before your supervision started or you were sentenced. You must mean for it to be your main home. And you must not have stayed somewhere else for six months or more meaning to make a new home there.

You need all four. If you fall short on any one of them, including substantial compliance, your case moves to a different route where the receiving state may simply say no.

Most misdemeanor cases are outside the compact. A misdemeanor is covered only if two things are true. The sentence includes a year or more of supervision. And the offense involved one of four things: harm or threatened harm to a person, a firearm, a second or later impaired driving offense, or a sex offense that requires registration. Any other misdemeanor is not covered by the compact at all. Whether you can move is then decided by your own court and your conditions.

If you already live in the other state, the compact has a faster route. Your sending state can ask the other state to let you report there while your transfer is reviewed. Ask your officer about it the day you are placed on supervision.

The timing

The request goes in before you leave. You are not allowed to travel to the receiving state until that state replies.

There is one exception. If you already work in the receiving state, or go to treatment or medical appointments there, your sending state may let you keep traveling there for those purposes while the request is investigated. You have to come back every day. Ask your officer for that permission in writing.

The receiving state has forty-five calendar days to answer, counted from the day a complete request reaches its compact office. Your sending state controls when that happens. An incomplete request or an invalid supervision plan gets rejected, and the process starts over.

An acceptance is good for one hundred and twenty days. If you have not moved by then, the receiving state may withdraw it.

So the real planning number is longer than forty-five days. Start months before you intend to move.

If you have already moved without permission

The two states have to notify each other. They may agree to let you stay while the investigation finishes. If they do not agree, your sending state must tell you to return within fifteen business days. If you do not come back, it must issue a warrant within fifteen business days after that.

Call your attorney today. Tell your officer today where you are living now and how to reach you. An officer who knows where you are is dealing with an unapproved move. An officer who cannot find you is dealing with absconding, which Chapter 18 covers.

Where I want to go, which state I am a resident of, and the date I started the request:

15. Work and Supervision

Work is usually a condition and always a help, and supervision makes it harder in specific ways you can plan around.

The scheduling collision

Reporting appointments, treatment, classes and testing happen during business hours, which is when most people are working, and when people who work nights are asleep. This is the most ordinary reason people lose jobs on supervision, and it is the one most open to being solved in advance.

1. Ask your officer in writing whether early, late or weekend appointments exist. Many offices have them and do not advertise them.
2. Ask whether a phone or kiosk check-in is available in any month where you have no issues.
3. Get your treatment schedule in writing and give your employer as much notice as you can.
4. Ask whether anything can be stacked on one day rather than spread across a week.
5. If you dose at a methadone clinic, give your officer your dosing hours in writing, and ask for reporting times that do not overlap them.
6. If you work nights, give your officer your shift in writing. Ask for reporting and testing times that leave you room to sleep, and keep the answer in your folder.

What you tell an employer

You are not required to hand over your medical history. Book 11 in this library, Work and Recovery, covers what you do and do not have to disclose, what a background check shows, and how to handle the question about a gap.

If your conditions require you to tell an employer something, the requirement is in the document. Your officer may also give you instructions about work, and Chapter 5 explains why those instructions count.

If your officer contacts your employer

Ask, in writing, what your officer will say and to whom. Some conditions authorize employment verification and some authorize more than that. Knowing which before the call happens lets you tell your employer first, which is almost always better than your employer hearing it first.

If you lose the job

Report it on the schedule your conditions require, usually immediately or within a set number of days, and start the search the same week. Unemployment is often itself a condition problem, and a gap you reported is a different thing from a gap somebody discovered.

In a federal case the standard condition requires full-time work, at least thirty hours a week, unless your officer excuses you. A change in where you work or what you do there needs notice at least ten days ahead, or within

seventy-two hours when you could not know in advance. If treatment will cut your hours, ask your officer in writing to excuse the shortfall.

Money

Losing work and owing court money arrive together. Chapter 12 covers the four separate obligations and Chapter 13 covers what the law requires when you cannot pay.

My appointments, the hours I work, and what I have asked to move:

16. A Technical Violation

A technical violation means breaking a rule of supervision without committing a new crime. A missed appointment, a positive test, a missed payment, leaving the area, not attending a class.

The term has no single meaning

There is no national definition. Each state decides what counts as a technical violation and what a court can do about one. Virginia is one example. If your case is not in Virginia, skip this paragraph and the list under it.

Virginia's statute lists ten specific failures as technical violations and limits what a court may do:

1. On a first technical violation, there is no active jail time.
2. On a second, there is a presumption against active jail time. The court can impose up to fourteen days only if it finds you cannot be safely diverted from jail.
3. On a third, the court can impose the full sentence.

In Virginia, using or possessing drugs is on the technical list. A new conviction for possession is a new crime, and the limits do not apply to it. Having a firearm and losing contact with your officer are both treated as a second violation even the first time. Several technical violations from one incident, or heard at the same hearing, count as one. The limits cover only the ten listed conditions, and

they can give way where the court orders time in custody to get you evaluated for or into treatment.

In a federal case the rule is stricter. For federal probation and for federal supervised release, the statutes make revocation mandatory where a person possesses a controlled substance, possesses a firearm against federal law or against a condition of supervision, refuses to comply with drug testing, or tests positive for illegal controlled substances more than three times in one year. On those four, the court must revoke and impose a term of imprisonment. The statute sets a maximum for that term and no minimum.

Any revocation of federal supervised release, mandatory or not, works this way. The time you already spent on supervision does not count against the prison term, and after the prison term the judge can order a new term of supervised release.

Do not treat three positive tests as a safe number. Some federal appeals courts have held that using a drug counts as possessing it. In those courts a single positive test, or your own admission that you used, can be treated as possession, and possession makes revocation mandatory. Refusing a test is also one of the four, and Chapter 7 covers missed and diluted tests. Ask your attorney how the courts in your circuit treat this.

There is one exception, and it matters in recovery. When you fail a drug test, the court has to consider whether

treatment that is available to you, or treatment you are in or have been in, is a reason not to apply the mandatory rule. The exception is written for failed drug tests. The statute does not spell it out for possession, and some courts have declined to apply it when they also find possession or other violations. Staying in treatment, and getting your attendance records to your attorney before the hearing, is what gives your attorney the argument.

So before anything else, find out whether your case is federal or state, and whether your state's statute defines a technical violation and caps the response to one. That question has a real answer and your attorney can get it in a minute. If you have no attorney, the public defender's office in your county can usually answer it, and Chapter 20 covers asking the court for a lawyer.

How the other side looks at it

A prosecutor or judge deciding what to do about a violation is usually asking whether you are still in treatment, still reporting, and still telling the truth. Lying, dropping out of contact, tampering with a test, and a new charge are what most often move a case toward custody.

Administrative sanctions and the waiver

Some states let your officer impose a sanction without you seeing a judge. North Carolina, the example in Chapter 3, lets an officer impose two or three days in jail at a time, up to six days a month in no more than three months, and only after you sign a written waiver of your

right to a court hearing. Once you sign, you cannot ask the court to review it. The federal system works differently, and Chapter 3 describes the waiver form a federal officer may ask you to sign.

Which makes the paper the important thing. If something is put in front of you to sign:

1. Read it before you sign it.
2. Ask whether signing waives a hearing in front of a judge.
3. Ask under what statute the sanction is being imposed.
4. Call your attorney before you sign, if there is any way to do that.

A sanction you accepted can be the better deal. It can also be a hearing you gave away for free. You cannot tell which without reading the document.

Tell your attorney everything, not only what is on the notice

This is the chapter where that matters most. The notice lists what somebody decided to write down. If there are three other things you also did, your attorney needs all four now.

A hearing where the prosecutor raises something your own lawyer has never heard turns one violation into several, and the moment it happens there is nothing anyone can do with it.

What to do in the first forty-eight hours

1. Get the written notice and read what you are actually accused of.
2. Call your attorney and tell them all of it.
3. Gather proof of compliance on everything else: attendance, pay stubs, payments, test results.
4. Keep reporting and keep attending. Compliance after a violation, and telling the truth about it, are what a judge weighs most.

What I am accused of, the questions I need to ask my attorney, and what I can show:

17. A New Charge

A new arrest while you are on supervision gives you two cases at once, and they move on different tracks at different speeds. Most of the damage people do to themselves here is done in the first week.

Two cases, not one

The new charge is one case. The violation of your supervision is another. The violation can usually be proved on a lower standard than the new charge. A federal court deciding a supervised release violation, for example, uses a preponderance of the evidence, which means more likely than not. Because the standard is lower, a violation can sometimes be found even if the new charge is dismissed or you are found not guilty. Ask your attorney how that works in your court.

Beating the new case does not automatically end the violation.

Why this is the chapter where lying costs the most

You now have two lawyers' worth of work to do and possibly two lawyers. Both of them are building a plan, and the plans interact. Whether you testify in one case affects the other. Whether you plead in one affects the other. A fact withheld from one lawyer can wreck a strategy in the other case without anybody seeing it coming.

So this is the chapter where the rule in Chapter 4 earns its place. Tell your attorney the facts of the new offense, including the parts that are worse than what is on the police report. The State will have its version in front of a judge soon, and you are only choosing whether your own lawyer reads it first or at the same time the judge does.

The first week

1. Do not discuss the facts with anybody except your attorney. That includes a cellmate, a recorded jail phone, and any message. You can still tell your counselor, a peer, or a sponsor or mentor how you are doing and that you need support. If your officer asks about the facts, do not lie and do not guess. Say, "I am not answering that, because the answer could be used against me in a criminal case. I want to talk to a lawyer first," and give your attorney's number if you have one. Chapter 3 explains why you have to say it out loud. If you are not a U.S. citizen, read Chapter 24 before you answer any question about where you were born.
2. Get a lawyer on the new case, and find out whether the same lawyer is handling the violation.
3. Tell your attorney about the supervision, because a new-case lawyer who does not know you are on supervision will negotiate as though you are not.
4. Report the arrest to your officer if your conditions require it, and almost all of them do. Ask your attorney how to word it, and do not let waiting for your attorney make you miss the deadline. If you have no

attorney yet, or cannot reach one in time, make the report on time and truthfully, and keep it to what the condition asks for.

5. Expect a hold. Chapter 18 covers warrants and detainers.
6. If the police ask you to work as an informant, tell your attorney before you agree to anything. In a federal case your conditions bar you from agreeing to act as an informant without the court's permission.

Who tells your officer

Your conditions probably require you to report an arrest, often within a few days and sometimes sooner. Some conditions also cover being stopped, questioned, ticketed, or cited by police without an arrest. Read the condition, then ask your attorney how to comply with it without saying more than it requires. If you cannot reach your attorney before the deadline, report anyway. Reporting that you were arrested, on what date, on what charge, is usually the whole obligation.

If your case is federal, the standard condition covers being questioned by a law enforcement officer as well as being arrested, and you have 72 hours to tell your officer. A stop where you were asked questions and let go still counts.

Sequencing

Which case resolves first is strategy rather than preference, and it is your attorney's judgment to give you.

Sometimes resolving the violation first is better. Sometimes holding it is. Ask what the plan is and ask what it depends on.

If you are on federal supervised release, the sentencing guidelines tell the judge that prison time for a violation should generally be served after any other prison sentence you are serving, not at the same time. The judge can decide otherwise, so ask your attorney about this before you plead in either case.

The new charge, the date, who my lawyer is on each case, and what I have reported:

18. If a Warrant Is Issued

A warrant does not go away, it does not expire quietly, and the time you spend not dealing with it is time working against you.

How it usually happens

Somebody reports a violation and a judge or a board issues a warrant. Or you missed a court date, often because the notice went to an address you no longer live at, which is the failure Chapter 4 is about.

In a federal case a probation officer can also arrest you without a warrant if the officer has probable cause, and the court may issue a summons instead of a warrant. A summons is an order to come to court on a set date. Go.

If you have moved and not told anybody, assume a notice may have gone somewhere you will never see it, and call the clerk of court to ask whether anything is pending.

Call your attorney before you do anything else

If you or somebody with you needs emergency care, call 911 or go to the emergency room first, even with a warrant out. You may be picked up there, and the care still comes first. If fear of going back is making you think about killing yourself, call or text 988.

This is not the chapter to handle alone, and it is the chapter where people most often act on their own.

Your attorney can often find out what the warrant says, whether bond is available, whether a hearing can be set, and whether turning yourself in at a particular time and place is better than another. Walking into a building without that can mean being held until the next available hearing, on something your attorney might have scheduled in advance.

Call ahead, then turn yourself in

A person who walks in unannounced is usually booked and held until a hearing can be set. A person whose lawyer called ahead sometimes gets a hearing date first. Those are different outcomes from the same willingness to face it.

So today, before you go anywhere:

1. Call your attorney and say there is a warrant. If you do not have one, call the public defender's office in the county that issued the warrant. If you cannot reach anybody by the end of the next business day, call the clerk of court or your officer and ask how to turn yourself in.
2. Ask whether bond is available on a violation warrant in your court, because in many places it is not automatic. In a federal case it is up to you to show the judge, by clear and convincing evidence, that you will not run and are not a danger. Bring proof of where you live, your job, and your treatment to the first appearance.

3. Ask whether a hearing can be scheduled instead, and ask the clerk whether the court has a set time when people with a warrant can come to the courtroom on their own.
4. Ask what to bring, and bring your folder.
5. Arrange childcare, tell your employer what you can, and have somebody who can be reached.

Absconding

Absconding means making yourself unavailable to supervision: you stop reporting, and your officer cannot reach you or find you. You can abscond without leaving town. The interstate compact's rules, for cases that move between states, count a person as an absconder only when officers cannot locate or contact the person and the person took action to make themselves unavailable and failed to report. Keep your officer able to reach you, even while a violation is pending.

Leaving the state without permission is a separate violation. Either one can bring a warrant that follows you. Expect to be brought back if you do not come back yourself. If you signed a waiver of extradition, which is a paper agreeing to be sent back without a fight, when you were placed on supervision or when you applied for a transfer, you may already have given up the right to fight being returned.

If your supervision was transferred to another state under the compact and you stopped reporting there, the

compact has its own rules. If you are arrested in the state that was supervising you, that state may have to hold a probable cause hearing before you are sent back. Do not give up that hearing without talking to your attorney.

Either way, call your attorney today and plan how you come in.

A detainer

If you are in custody on something else and a warrant exists on your supervision, a detainer can be lodged, which means you will be held for the other jurisdiction when the first matter ends. That affects bond, program eligibility and release planning, so your attorney needs to know about every open case in every county.

You may hear about a demand that forces another state to bring you to trial within a set time. That process covers new charges that have not been tried. It does not cover a detainer for a probation violation, so ask your attorney what can be done about that detainer directly.

If you are not a U.S. citizen, immigration authorities can also take you into custody when the jail would otherwise let you go, and some drug cases require it. If you are moved to immigration custody, you can miss reporting and court dates on your criminal case. Tell your attorney your status now, and give somebody you trust your attorney's and your officer's numbers so that person can call both the day you are moved.

What the warrant is for, who I called, and what my attorney told me to do:

19. What Happens at a Revocation Hearing

A revocation hearing is not a trial and the protections are thinner, but they are not nothing. You are entitled to specific things, and knowing the list is most of what separates a person who sits through this from a person who takes part in it.

There are two hearings

If you are held in custody on the violation, the first is a preliminary hearing. It decides whether there is probable cause, meaning a good enough reason, to believe you did something that would violate your conditions. It happens at or near the place of the alleged violation or the arrest, soon after the arrest. The person who runs it has to be someone not directly involved in your case, and that person does not have to be a judge. The Supreme Court said it may be an officer other than the one who reported you.

The second is the final hearing, where the decision is made.

You may be handed a form that gives up one of these hearings. Federal rules let a person waive both the preliminary hearing and the final hearing, and state systems use waiver forms too. Practice varies by state. Do not sign one before you talk to your attorney, and read it for whether it also says you admit the violation.

What the State has to show

The State does not have to prove a violation beyond a reasonable doubt. In a federal supervised release case it has to show the violation is more likely than not, and many states use a similar lower standard. There is no jury. Anything you told your officer can be used. Ask your attorney what standard your state uses.

What you are entitled to at the final hearing

In Morrissey v. Brewer the Supreme Court set out the minimum requirements. Gagnon v. Scarpelli held that a probationer is entitled to the same two hearings, on the same conditions, as somebody on parole. The list is this:

Written notice of the claimed violations. Disclosure to you of the evidence against you. An opportunity to be heard in person and to present witnesses and documents of your own. The right to confront and cross-examine the witnesses against you, unless the hearing officer finds good cause not to allow it. A neutral and detached hearing body, whose members do not have to be judges or lawyers. And a written statement by the people deciding, saying what evidence they relied on and their reasons for revoking.

That last right matters later, if there is an appeal. If the judge does not state the evidence and the reasons on the record, your attorney can ask. If you have no attorney, ask politely at the end: "Your Honor, for the record, may I

ask what evidence the decision is based on and the reasons for it?"

In a federal case the rules add one thing to this list. Before the judge decides, you have the right to speak and to present anything that argues for a lighter result. Plan what you will say with your lawyer, and bring the treatment records and letters that back it up.

About a lawyer

In a federal case, if you cannot afford a lawyer, the court must provide one when you are charged with violating probation or supervised release, and you have a right to a lawyer before the court changes your conditions. That lawyer may come from the Federal Defender's office or from a list of lawyers the court keeps. Ask for one at your first appearance.

In a state case, the Constitution does not promise a lawyer at every revocation hearing, and the Supreme Court said the decision is made case by case. Your state may give you a lawyer by statute or court rule anyway, so ask the court what the rule is where you are. Where no rule gives you one, the Court said a lawyer should usually be provided when you ask for one and make a timely, believable claim of one of two things. The first is that you did not commit the violation. The second is that you did, but there are serious reasons that justify it or lessen it and make revocation the wrong result, and those reasons are complex or hard to present on your own. If your

request is refused, the reasons for the refusal are supposed to be stated in the record.

So ask in writing. Say which of the two is true for you, in one sentence. Ask that your request and the reason for any refusal be put in the record. Chapter 20 covers how to find a lawyer when none is appointed.

The second decision

A revocation hearing decides two things. First, whether you violated. Second, if you did, what happens now. Many violations are settled by an admission, with the sanction agreed or argued. Ask your attorney whether to admit or contest, and what each choice is likely to do to the sanction.

If you admit, the judge may ask you questions to make sure you understand what you are giving up. Answer them truthfully. If you do not understand a question, say so. Admitting means there will be no hearing on whether you violated, and it can limit what you are able to appeal later. Ask your attorney about both before you decide.

If you are not a U.S. citizen, ask your attorney before you admit whether the admission, and the length of any sentence, changes your immigration case.

For the second decision, the judge wants to know what you will do from here. Bring a plan you can prove: a treatment appointment or a bed date, a letter from your counselor, your attendance sheets, your pay stubs, a

place to live. Give any letters to your attorney, not to the judge, so they reach the court the right way.

If you are allowed to speak, keep it short, and plan it with your attorney first. Ask your attorney ahead of time whether you will be allowed to speak. For a violation you have admitted, say what you did, without blaming your officer or anybody else, and say what you are doing about it. If you have a new charge open, talk to your attorney before you say anything about it at this hearing. Do not talk about the facts of that charge, and do not testify about it, unless your attorney tells you to. In many places what you say at a revocation hearing can be used against you in the new case.

Nothing new in the hallway

Whatever you have not told your lawyer, tell your lawyer before you walk in, including in the parking lot if that is where you are. Cross-examination is prepared, not improvised, and a fact handed to your own lawyer five minutes before a hearing is a fact nobody can use.

Say it out loud at the hearing

Anything wrong at the hearing has to be raised out loud at the hearing, by your attorney or by you, or it is usually lost if there is an appeal. Before the hearing, go over four problems with your attorney: the State relies on a report and the person who wrote it is not there to be questioned; the State brings up a violation that was not in your written notice; the hearing is not being recorded or

taken down by a court reporter; or, in a case about money you could not pay, the judge orders jail without saying on the record whether you tried to pay and why the other choices are not enough. Chapter 13 covers that last problem.

Before the hearing

1. Get the written notice and read what you are actually accused of. People prepare for the wrong allegation.
2. Go over your version and the dates with your attorney, and bring the papers that back it up.
3. Line up the witnesses you want heard and tell them the date.
4. Bring proof of what you have done: meeting attendance, pay stubs, treatment records, payment receipts.
5. Wear clean, plain clothes. You do not need to buy anything. Arrive early enough that traffic cannot become part of your record.
6. Bring only what you need. Courthouse security searches bags, and a pipe, or a pill outside its prescription bottle, becomes a new problem in the building. Turn your phone off. Do not bring anybody your conditions say you cannot be around.

If the judge revokes

A revocation can usually be appealed, and the deadline is short. Tell your attorney that day whether you want to appeal. Say it out loud, and ask your attorney to confirm

who will file the notice of appeal. In federal court the notice is due 14 days after the judgment or order. In a state case the deadline and the steps depend on your state. In Georgia, for example, an appeal from an order revoking probation needs permission from the appeals court, and the request is due within 30 days of the order. Ask whether you can get a lawyer for the appeal. If you have no attorney, ask the clerk of court that day what the deadline is and how to file, and call the public defender's office the same day.

The violation I am accused of, the date, and what I can show:

20. If You Have No Lawyer

In many places an appointed lawyer's job ends when the case is sentenced, so the person facing a violation is frequently the one with the least information in the room. This chapter is about getting somebody back.

When the book says call your attorney and you do not have one

This book tells you many times to call your attorney or to tell your attorney first. If nobody represents you now, do this instead.

1. Call the public defender's office that had your case, or the lawyer who handled your sentencing. Give your name and case number. Ask whether anybody there still represents you, and who does if nobody there does. If nobody has ever represented you, which can happen in diversion, call the public defender's office in the county where you were charged and ask whether you qualify for one. The clerk of court can give you the number.
2. If you have a violation notice or a hearing date, ask the court in writing for a lawyer. The next section says how. If a diversion program says it is throwing you out, your charge goes back to court. Ask the judge for a lawyer at your first court date. If you cannot afford one, the court has to give you one in a felony case. In a misdemeanor case, it has to give you one before it can sentence you to jail, even jail that is suspended.

3. For fines and fees, housing, benefits, or clearing your record, call legal aid. A law school clinic may also help, and the help is free.
4. Call your state or local bar association and ask whether it has a lawyer referral service.
5. If your courthouse has a self-help center, ask it which form to file. It cannot give legal advice.
6. Write your questions on the write-in lines in this book and keep them for the first lawyer you reach. Write questions there, not what happened.

Until you reach somebody, every report your conditions require is still due. Make each one on time and truthfully, and keep it to what the condition asks for. In an emergency, call 911 first. When you reach a lawyer, tell that lawyer everything, the way Chapter 4 says.

Ask, in writing, and say the right thing

If your case is federal, you have a right to an appointed lawyer on a violation if you cannot afford one, and Chapter 19 explains it. Call the Federal Defender's office for the district where your case is. If your district does not have one, call the clerk of the federal court and ask for a lawyer from the court's list.

In a state case, Chapter 19 explains the case-by-case rule and the two kinds of claims that make a lawyer more likely. Three things follow.

1. Ask. A request you never make cannot be granted.

2. Ask in writing, early. Say plainly which claim you are making. Either you did not do it, with one sentence about why, or you did and there are serious reasons behind it that are hard to explain without help, such as a relapse during treatment, a problem with your medication, or a disability. If reading, writing, or speaking in court is hard for you, say that too, because the Court said a judge should consider it. Do not say you did not do it if you did. A false denial can make things worse, and the lawyer you get will need the true version.
3. Ask that your request and the grounds for any refusal be put in the record.

Where else to look

The Federal Defender's office, if your case is federal. It represents people on federal supervision who cannot afford a lawyer, including on violations and changes to conditions.

Legal aid. Civil legal aid does not usually do criminal defense. Many offices do handle fines and fees, housing, benefits, or record clearing, which are Chapters 12, 13, 23, and 24. Ask which of those your local office takes.

An immigration lawyer, if you are not a U.S. citizen. Ask your public defender's office whether it has an immigration lawyer your defense lawyer can consult. The immigration court system keeps a list of free legal service providers at justice.gov/eoir/list-pro-bono-legal-

service-providers. Get immigration advice only from a licensed lawyer or a representative accredited by the Department of Justice. A notario or an immigration consultant is not allowed to give it.

Your state's protection and advocacy agency for people with disabilities, which is the agency Chapter 8 names, if the issue involves your medication.

If you are going in without a lawyer

Chapter 19 lists what you are entitled to at the hearing. Take that list in with you. Ask for the written notice, ask for the evidence, and bring your own documents and your own witnesses. Before the hearing starts, ask whether it is being recorded or taken down by a court reporter, and if it is not, ask that it be recorded. If the State relies on a report and the person who wrote it is not in the room, say, "Your Honor, I object. I would like to question the person who wrote this." If the State brings up a violation that is not in your written notice, say, "Your Honor, I object. I was not given notice of that." At the end, ask the judge to state on the record what evidence the decision is based on and the reasons for it. An objection you do not make out loud at the hearing is usually lost if there is an appeal.

Do not argue with the judge about whether you should have a lawyer. Make the request, make sure it is on the record, and then work the hearing.

Who I called, what I asked for in writing, and the date:

21. If You Use Again While on Supervision

This chapter is in every book in this library in some form, and on supervision it carries a second problem on top of the first one.

Tonight, before anything legal

If you went back to opioids after any stretch away from them, including time in jail or in a program, your tolerance is lower than it was and the amount that used to be normal is not normal now. That is the thing most likely to kill somebody in the first days back, and it does not care about your case.

Do not use alone. Have naloxone, even if opioids are not your drug, because pills bought on the street can contain fentanyl even when they look like a real prescription. Have somebody who knows where you are. If somebody is overdosing, call 911 and give naloxone. Many states have a law that protects the person who calls from some drug charges, and some of those laws also protect a person on probation or parole from a violation. Call anyway, and ask your attorney afterward what your state's law covers.

Book 1 in this library covers the first hours. Book 5 Chapter 12 covers what to do after a slip. Book 3 lists free help near you.

Whether to self-report is a legal question

Read your conditions first. If they require you to report use, you have to report it, and the deadline in your

conditions is the deadline. Not reporting is a violation of its own, and it can be treated as worse than the use.

Call your attorney before you call your officer, and call right away, soon enough that you can still report on time. If you have no attorney, or cannot reach one before the deadline, make the report anyway, on time and truthfully, and keep it to what the condition asks for. In an emergency, call 911 first. If you are not a U.S. citizen, tell your attorney that when you call, because a report of use can also matter in an immigration case, and still make the report by the deadline.

In a federal case, your own admission that you used can be treated as possession in some courts, so your attorney needs to hear it before your officer does if there is any way to reach your attorney in time. Your attorney can tell you what reporting triggers in your court, how to word it, whether a test is coming anyway, whether your judge has treated voluntary disclosure as a reason to go easier, and whether your case is one where the statute makes revocation mandatory. Chapter 16 covers that last point, including the exception the federal statute allows for failed tests when you are in treatment.

If your conditions do not require you to report use, whether to tell your officer is a question for your attorney. Some people's recovery also tells them to be honest about it right away, and your attorney can help you do that without it costing more than it has to. If your

officer asks you directly whether you used, do not lie and do not deny it. Whether you may decline to answer until you talk to a lawyer depends on whether the answer could show a new crime where you live, and that is a question to settle with a lawyer now, before your officer asks it. Chapter 3 has the words to use if a lawyer tells you that you may decline. If you are in a drug court, Chapter 11 covers how honesty about use works there.

What your attorney cannot do is advise you on a fact you did not give them.

What not to do

Do not disappear. A missed appointment plus an unreachable phone reads as absconding, and Chapter 18 covers what that triggers.

Do not stop attending treatment. Continued attendance after a slip is one of the things a judge weighs most, and stopping turns one bad week into a pattern.

Do not try to beat the test. Tampering is a violation of its own, and in some states it is also a crime. Virginia, for example, makes swapping or altering a sample a misdemeanor. A new charge is worse than the positive you were trying to hide.

If you are picked up

Say you are prescribed medication for opioid use disorder, if you are, and name it and the prescriber on the

way in. Ask for it to go in the booking record. Chapter 8 has the rest.

After

Call your attorney while you still remember what happened and when. Your attorney needs the order of events, and in three weeks you will not remember it. Keep it off paper unless your attorney asks you to write it down, and then write it for your attorney only.

Who I called first, the date I called my attorney, and what I am doing differently this week:

22. Getting Off Supervision

Supervision ends two ways. It runs out, or somebody ends it early. Both of them need paperwork and neither of them is automatic in the way people expect.

Early termination

State rules and federal rules are separate. State rules vary. Whether your state has an early discharge provision, what minimum period it requires, whether restitution and fees have to be paid in full first, whether the prosecutor can object, and who may file, are all state questions with specific answers. Ask your attorney for yours. If you have no attorney, ask your officer in writing what your state's rule is, and call the public defender's office that had your case.

If your case is federal, there are two statutes. For federal probation, a court may terminate the term and discharge you at any time for a misdemeanor or an infraction, or at any time after one year for a felony, if it is satisfied that the action is warranted by your conduct and by the interest of justice. For federal supervised release, a court may do the same at any time after one year.

Note what those statutes do and do not say. One year is eligibility rather than entitlement. The words are "may" and "if it is satisfied." The statutes create no presumption in your favor, and the judge decides.

For supervised release, the federal sentencing guidelines have also had a policy statement on early termination since November 2025. It asks the judge to look at whether you, individually, still need supervision. Ask your attorney whether to cite it.

Federal probation offices also follow a national policy. At eighteen months there is a presumption in favor of your officer recommending early termination if you meet the policy's criteria. The criteria look at whether you are a risk to the public and whether you have had recent violations. Some offense categories are excluded. Money you still owe does not rule you out by itself if you are keeping up with your payment plan. At eighteen months, ask your officer in writing whether you qualify and whether your officer will recommend it. If your officer will not, your attorney can still file the request.

What makes the request credible

The court is deciding something about your conduct, so the request is built out of the record you have been keeping since Chapter 2.

Compliance with every condition, documented. Employment or school, documented. Treatment completed, with the certificate. Payments current, or a documented payment history if they are not. No violations, or old ones with a clean stretch since. Letters from an employer, a counselor, a program.

Ask your attorney what the judge in your court actually responds to, because that is local knowledge no book can supply.

When it runs out instead

Get the discharge paperwork. Do not assume that the date passing means the file closed.

In a federal case, two rules can move the end. If a warrant or summons for a violation was issued before your end date, the judge can still revoke after the date passes. And a term of supervised release stops running while you are locked up in connection with a conviction for thirty days in a row or more. The Supreme Court has held that this includes time you were held before trial on a new charge, if that time is later credited to your sentence for it.

1. Ask your officer for a written statement that supervision is complete, and ask for it on letterhead.
2. Ask the clerk of court for an order of discharge or a certificate of completion, by whatever name your court uses.
3. Confirm your financial obligations are paid, or that an unpaid balance has been converted to a civil judgment, which is a court-ordered debt you still owe, because in many places restitution survives the end of supervision.
4. Ask whether any condition outlasts the supervision, such as registration or a no-contact order.

5. Put all of it in the folder. You will be asked to prove this years from now, by an employer, a landlord, or a licensing board.

The next chapter is the one that matters afterward

Finishing supervision does not clear your record. Chapter 23 is about that, and it is a separate process with its own filing.

My end date, what I have asked for in writing, and what I still owe:

23. Your Record Afterward

Three different words get used for clearing a record, and they mean three different things. Which one your state offers decides what you can ask for. Asking for the wrong one wastes a filing.

The three words

Expungement usually means the record is destroyed or treated as though it never existed.

Sealing usually means the record still exists but is closed to public view.

Restriction usually means the same thing as sealing by another name. Only certain people can see the record, and only for certain purposes.

States do not use these words the same way, and some states offer only one of the three. So first find out which word your state uses. Asking for an expungement in a state that only restricts is asking for something that does not exist there.

If your conviction is federal, your state's process does not clear it. There is no general federal law for clearing a federal conviction. The narrow exception covers some people who were under twenty-one at the time of a first simple drug possession offense and received a special first-time disposition. Ask the Federal Defender's office what, if anything, applies to you before you pay anybody.

A worked example

If you are not in Georgia, you can skip to "What to do" below. This example shows how one state sets it up.

Georgia restricts rather than expunges. A restricted record is not erased. It stays on file, and only some people can see it:

1. Judges and other judicial officials, and criminal justice agencies, for law enforcement or criminal investigation.
2. Criminal justice agencies deciding whether to hire somebody.

The state's records office does not release a restricted record to private people, businesses, other government agencies, or licensing boards.

A restricted record in Georgia is still available in a few situations:

1. When a judge is deciding whether to sentence somebody as a first offender.
2. To a prosecutor or a public defender.
3. To a defense attorney who files a sworn statement that the record matters to the case.
4. Under a court order.
5. To the person the record is about.

Georgia restricts records in three ways.

Some records are restricted automatically before any formal charge is filed. That includes a case never sent to a

prosecutor and then closed, a case where no charge was filed in time, a case dismissed after it was sent to a prosecutor, and a case where the grand jury twice declined to charge, or declined once and a set period of time has passed.

Some records are restricted after a formal charge is filed. That includes a case where all charges were dismissed, a case where the charges were reduced to a local ordinance violation, a case where the person finished certain sentencing or treatment court programs, and a case where the person was found not guilty of all charges. Some of these have exceptions.

Some records require you to file a petition. One petition route covers a misdemeanor conviction. You can ask the court to restrict it if you finished the sentence, you have had no new conviction anywhere for at least four years, and nothing is pending. Some offenses are excluded. You can use this route for no more than two convictions in your lifetime.

The statute also lists cases that cannot be restricted after a formal charge, including some dismissals that were part of a plea agreement.

Restriction in Georgia covers the state's criminal history record. It does not close the court file at the clerk's office. To seal the court's own file, you file a petition in the court that heard the case. The judge decides whether the harm to your privacy clearly outweighs the public's interest in

the file. If the judge orders it sealed, the clerk has sixty days to seal the documents.

Georgia is one state. Yours will use different words, categories, and steps. The shape is usually similar: some things happen automatically, some require you to file, and some are excluded.

What to do

1. Find out which word your state uses. Ask a public defender, legal aid, or the clerk.
2. Find out whether anything in your case is automatic, because people file for things they already have.
3. Find out what is excluded, before you pay anybody.
4. Ask whether a conviction after a treatment court or diversion program is eligible, because several states treat those differently.
5. Ask whether there is a waiting period and when it started.
6. Ask whether clearing the record also seals the court file, or whether that takes a second filing.
7. Ask whether your sentence was a first offender, deferred, or conditional discharge sentence, by whatever name your state uses. In some states, finishing one changes what your record shows, and you may still have to file to clear it.

Who to call, and who not to pay

Legal aid, a public defender's office, a law school clinic, or your state's bar referral service. Several states run free record clearing clinics.

Be careful with a company that advertises record clearing for a fee. Ask which statute it is filing under and what the exclusions are. A company that cannot name the statute is selling you a form you could get free.

What it does not fix

Clearing a record does not reach everything the record touched.

If you are not a U.S. citizen, a record cleared under state law can still count as a conviction for immigration. Talk to an immigration lawyer before you rely on a restriction or an expungement for travel or for any immigration application.

Before you clear anything, get certified copies of every arrest and every court result and keep them in your folder, because a cleared record can be harder to get later. A conviction undone because of a legal mistake in the plea, such as wrong advice about immigration, is treated differently from one cleared as a reward or a second chance, and an immigration lawyer can tell you whether that applies to you.

Clearing a record also does not reach copies that private background check companies collected earlier. If a check

shows a record that has been cleared, dispute it in writing with the company that ran the report, and send a copy of your restriction or expungement order. The company has to investigate.

If an employer or a landlord turns you down because of a background check, it has to give you the name, address, and phone number of the company that ran the check, and tell you that you can get a free copy of the report from that company if you ask within 60 days. Ask for the copy, then dispute what is wrong.

Chapter 24 covers what else a record affects, including the areas where a different body of law sets the answer.

The word my state uses, what in my case is eligible, and who I called:

24. The Things a Record Still Touches

Some consequences come from the conviction itself, not from supervision, and they last after supervision ends. Four of them have federal rules worth knowing, because people act on information about them that is years out of date.

Student aid, which changed

A drug conviction no longer suspends your eligibility for federal student aid. The FAFSA Simplification Act removed that rule. The Department of Education started applying the change early, in 2021, beginning with the 2021 to 2022 award year.

People are still told otherwise, sometimes by people who believe it. If somebody tells you a drug conviction bars you from financial aid, that was true once and it is not the rule now.

One thing can still block aid: a judge's order. At sentencing for a drug offense, federal law lets a judge deny federal benefits, such as student grants and loans, for a set period. A third conviction for distribution makes the bar permanent. The bar would be written into your sentence.

The same law suspends the bar in three cases: you complete a supervised drug rehabilitation program after the bar begins, you have otherwise been rehabilitated, or you tried in good faith to get into a program and could

not because none was available or you could not pay. If you are not sure whether you have a bar, ask your attorney to read your sentencing order and to tell you whether your treatment record suspends it.

Food assistance and cash assistance

Federal law bars some people from cash assistance and food assistance. Food assistance here means SNAP, which many people still call food stamps. Cash assistance means TANF, the state welfare program paid for with federal money. The bar covers a person convicted of a felony that has, as part of the crime, possessing, using, or distributing a controlled substance. A felony possession conviction can fall under it. Read the two points below before you decide not to apply. The bar is written for people who were convicted. If your case was dismissed after diversion and you never pleaded guilty, ask the benefits office or legal aid whether it reaches you at all.

Two things take most of the force out of that bar.

Your state may have opted out. The law lets a state, by its own law, exempt some or all people from the bar, or shorten how long it lasts. Many states have done this. Whether yours did is a question for your state's benefits agency or legal aid, and the answer is specific.

The bar does not reach what you might assume. The law says it does not deny any of these:

1. Emergency medical services under Medicaid.

2. Short-term, non-cash emergency disaster relief.
3. Immunizations.
4. Testing and treatment for communicable diseases.
5. Prenatal care.
6. Job training programs.
7. Drug treatment programs.

The bar also does not reach a conviction for conduct on or before August 22, 1996. Medicaid is not on the list of denied benefits, and neither is treatment.

If you have a family, know how the household is treated. For cash assistance, the family's benefit is cut by the amount the barred person would have received. For food assistance, the barred person is left out of the household count, but that person's income and resources still count.

Housing

For public housing, two bars last for life. A housing agency must permanently refuse a household if a member was ever convicted of making methamphetamine on federally assisted housing property. It must also refuse a household if a member has to register as a sex offender for life under a state program.

An eviction from federally assisted housing for drug-related criminal activity bars the household for three years from the date of the eviction. That bar has an exception you can act on. The agency may admit the household inside the three years if it decides the evicted

person has successfully completed a supervised drug rehabilitation program the agency approves. There is a second exception, for when the circumstances that led to the eviction no longer exist. HUD's examples of that are the death or imprisonment of the person who was evicted, so the program is usually the route open to you.

So you have something to do besides waiting three years. Ask the housing agency in writing, before you enroll in anything, which programs it approves. Then keep the completion certificate in the folder from Chapter 2.

The agency must also refuse admission in two more cases. One is where it decides somebody in the household is currently using drugs illegally, or has reasonable cause to believe that drug use or a pattern of drug use may threaten other residents. The other is where it has reasonable cause to believe a household member's alcohol abuse, or pattern of alcohol abuse, may threaten other residents.

If an agency plans to deny you because of a criminal record, it must tell you first, give you a copy of the record, and let you dispute whether the record is accurate and whether it is relevant. It cannot charge you for the records check. Ask for the hearing or review in writing, by the deadline on the notice, and bring the folder from Chapter 2.

Housing Choice Vouchers, often called Section 8, have their own rule. It carries the same mandatory bars: the

three-year bar after a drug-related eviction, the two lifetime bars, current illegal drug use, and alcohol abuse. Ask about the program you are actually applying to, because the rest of the rules can differ.

A driver's license

Federal law pushes states to revoke or suspend the license of a person convicted of a drug offense for at least six months. It does that by holding back part of the federal highway money from a state that does not comply.

The same law lets a state refuse. A state is excused if its governor certifies that the state opposes such a law and its legislature passes a resolution saying the same.

So whether a drug conviction costs you your license depends on your state. Ask your state's motor vehicle agency what the rule is and whether a restricted or work license exists. Ask the same agency for a list of every hold on your license, such as one for unpaid court debt or a missed court date, and what clears each one.

The ones this book will not try to explain

Immigration. If you are not a U.S. citizen, and that includes having a green card, a drug case can lead to deportation. It can also keep you from getting a green card or citizenship, and keep you from coming back into the country after a trip. That can happen even when the sentence is small.

Federal immigration law has its own meaning for "conviction." A guilty plea, a no contest plea, or an admission of facts that would be enough to find you guilty counts as a conviction once the judge orders any punishment or restraint, such as probation, fees, testing, or a treatment program. It can still count if the case is dismissed later because you finished drug court or diversion. A program you enter with no plea and no admission of the facts usually does not count as a conviction. Ask your attorney whether that kind of program is open to you.

A conviction is not the only risk. Immigration law can also act against you if you admit doing the acts that make up a drug crime, if you are found to be a drug abuser or addict, or if the government has reason to believe you sold drugs or helped somebody sell them. A signed admission form, what you say about use in court, and treatment records can all become part of that. Admitting drug use to an immigration officer can be used against you the same way, even with no conviction and even if nobody explained the crime to you first. Before you fill out any immigration form, go to an immigration interview, or have the immigration medical exam, talk to an immigration lawyer about any drug use or arrest. Do not lie on the form or in the interview. A drug case can also mean being held by immigration while your immigration case goes on.

Tell your defense lawyer you are not a U.S. citizen, or that you are not sure, before you plead, sign, or admit anything. The Supreme Court has said that when a plea's immigration result is clear, your defense lawyer must tell you what it is, and for almost every drug conviction it is clear. When it is not clear, your lawyer must still warn you that the plea may carry immigration risk. Ask out loud: "Will this make me deportable? Will it stop me from getting a green card or citizenship, or from coming back if I travel?" Get the answers before you decide, and ask your defense lawyer to talk with an immigration lawyer. Chapter 20 lists where to find one.

Never say you are a U.S. citizen if you are not, to anybody, on any form. A false claim of citizenship can keep you out of this country for good. If you are not sure whether you are a citizen, say you are not sure, and ask a lawyer. If police or immigration officers ask where you were born or about your status, you can say, "I want to talk to a lawyer before I answer that." If you are 18 or older and have a green card, federal law requires you to carry it at all times. Never show anybody papers that are not real. Do not sign any paper from immigration officers until a lawyer has read it. Questions from your own supervising officer are different. Chapter 3 covers them, including what to say when an answer could show a crime. Coming back into the country after being deported is a federal crime, so if that is your situation, settle with a lawyer before your officer asks where you were born.

Professional licenses. Nursing, commercial driving, childcare, real estate, security, and many trades each run on their own board's rules. Ask your board directly, in writing, and ask before you plead rather than after.

Firearms. Federal and state law both apply, and they are not the same. While you are on supervision, assume you cannot have a gun. The standard federal condition bars owning, possessing, or having access to a firearm, ammunition, or a dangerous weapon, such as a taser, so a gun somebody else keeps where you live can be a problem. In a federal case, possessing a firearm makes revocation mandatory, which Chapter 16 covers.

If you have been formally charged with a crime that could be punished by more than a year in prison and the case is still open, federal law bars you from buying or receiving a gun or ammunition. If you are in diversion, ask your attorney whether your charge is still open.

Two federal bars last after supervision ends. The first covers a person convicted of a crime that could be punished by more than a year in prison. That includes most felonies. It also includes a state misdemeanor that could be punished by more than two years, even if your own sentence was much shorter. The bar covers having a gun or ammunition. Your state may have its own bar. Ask a lawyer whether your conviction counts and whether anything has restored your rights. Federal law also bars a person who uses drugs illegally, or is addicted to a

controlled substance, from having a gun or ammunition, with or without a conviction. Ask a lawyer how that second bar applies to you. If you buy a gun from a dealer, the federal form asks whether you use drugs illegally or are addicted to a controlled substance. A false answer on that form is a separate federal crime. Ask before you live or ride anywhere with a gun, and ask again before you own one after your case ends.

For all three, the answer is to hand the question to the right person. Chapter 20 lists where to find somebody.

Which of these touches me, who I asked, and what they said:

25. My Supervision Plan

One page you can hand somebody, or read in a bad week. Fill it in with a pen and keep it in the front of the folder from Chapter 2.

What I am on

What kind of supervision, from Chapter 1:

Federal or state:

Who decides a violation in my case:

The date it ends:

The sentence if I fail, or in diversion what happens to the charge if I fail:

Who

My attorney, and the number:

My officer, or in diversion my program contact, and the number:

In drug court, my case manager or coordinator, and the number:

My testing call-in line or code:

The clerk of court, and the number:

My prescriber, and the number:

My treatment program, and the number:

The person who can always reach me, and their number:

My referral list, for the things nobody else covers

Somebody who can prescribe:

Somebody who handles a mental health crisis:

Somebody who takes people with no money:

Conditions I need help with

From Chapter 5, the three I need help with:

What I have asked to be modified, and when I asked:

My appointments

Reporting day, time, place, method:

Treatment:

Classes:

Testing:

The money

What I owe, itemized from Chapter 12:

What I pay each month, and the date:

What I have asked to be waived or converted:

What I need to ask my attorney

From Chapter 4. Write your questions here, not what happened. Say that part out loud to your attorney:

If I use again

Who I call first:

Where my naloxone is:

What I will not do: disappear, stop attending, miss the next appointment.

Sources

This page lists the laws, rules, decisions, and official guidance the chapters rely on. Laws change, and state versions of a rule differ, so check the current text and ask your attorney how it applies to you.

Safety page, Chapters 8 and 21, and If I Use Again. O.C.G.A. 16-13-5(b) (Georgia), an example of an overdose Good Samaritan law that also covers probation and parole violations. U.S. Food and Drug Administration, "FDA Approves First Over-the-Counter Naloxone Nasal Spray" (March 29, 2023). Centers for Disease Control and Prevention, Overdose Prevention, Public Health and Public Safety Resources (cdc.gov), on overdose risk after release from incarceration. Substance Abuse and Mental Health Services Administration, Guidelines for Implementing Medications for Opioid Use Disorder Treatment in State Prisons (2025). Substance Abuse and Mental Health Services Administration, TIP 49, Incorporating Alcohol Pharmacotherapies Into Medical Practice (2009), Appendix C, excerpts from the Quick Guide based on TIP 45, on alcohol withdrawal. Drug Enforcement Administration, Public Safety Alert on fake prescription pills containing fentanyl and methamphetamine (September 27, 2021).

Standard federal conditions, cited in Chapters 2, 3, 4, 5, 6, 14, 15, 17, and 24. U.S. Sentencing Guidelines Manual (2025), 5B1.3 (probation) and 5D1.3 (supervised release;

since November 1, 2025, the standard conditions of supervised release are at 5D1.3(b)(2)). Condition numbers in this book follow Administrative Office of the U.S. Courts, Overview of Probation and Supervised Release Conditions, Appendix: Standard Condition Language (uscourts.gov): (3) leaving the judicial district, (4) answering the officer truthfully, (5) residence and living arrangements, (6) home visits and items in plain view, (7) employment, (8) contact with people engaged in criminal activity or convicted of a felony, (9) arrest or questioning by police, (10) firearms, (11) acting as an informant, and (13) following the officer's instructions. Sample special condition language for substance abuse testing and treatment is in the same publication's Appendix: Sample Special Condition Language.

Front matter and Chapter 2. United States v. Knights, 534 U.S. 112 (2001). Samson v. California, 547 U.S. 843 (2006). Standard condition (6). 18 U.S.C. 2232(a), a federal example of a law against destroying or hiding property to prevent its seizure in a search.

Chapter 1. 18 U.S.C. 3565(a)(2). Texas: Tex. Gov't Code 508.283(b) and (c). 8 U.S.C. 1101(a)(48)(A). Matter of Mohamed, 27 I&N Dec. 92 (BIA 2017).

Chapters 1, 3, 7, 16, 21. Federal probation: 18 U.S.C. 3563, including 3563(e) on drug test confirmation and the treatment exception, 3564, and 3565, including 3565(a)(2) on resentencing and 3565(b) on mandatory revocation.

Federal supervised release: 18 U.S.C. 3583, including 3583(d) on drug test confirmation and the treatment exception, 3583(e)(2) on extending a term, 3583(e)(3) on revocation without credit for time on supervision, 3583(g) on mandatory revocation, and 3583(h) on a new term after revocation. 18 U.S.C. 3606, on arrest without a warrant. Federal Rule of Criminal Procedure 32.1, including 32.1(c) on modifying conditions and 32.1(c)(2) on when no hearing is needed.

Chapter 3. 18 U.S.C. 3603(3). Standard conditions (4) and (6). Sample special condition language for search and seizure (Administrative Office of the U.S. Courts, Overview of Probation and Supervised Release Conditions). Pennsylvania Board of Probation and Parole v. Scott, 524 U.S. 357 (1998). Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision (Prob 49).

Chapters 3 and 16. North Carolina: N.C. Gen. Stat. 15A-1343(a1)(3) and 15A-1343.2(e). Virginia: Va. Code 19.2-306.1.

Chapters 3, 6, 17, and 21. Minnesota v. Murphy, 465 U.S. 420 (1984), including 465 U.S. at 430 to 435 and note 7. Standard conditions (4), (9), and (11). Administrative Office of the U.S. Courts, Overview of Probation and Supervised Release Conditions, Answering Truthfully the Questions Asked by Your Probation Officer, Part D.5.

Chapter 4. American Bar Association Model Rules of Professional Conduct, Rule 1.2(a), Rule 1.6 with its

comment 2, and Rule 3.3(a)(3). Each state adopts its own version. Standard condition (5). Padilla v. Kentucky, 559 U.S. 356 (2010).

Chapter 5. 18 U.S.C. 3563(a) and (b) and 3583(d). Standard conditions (8) and (13).

Chapter 7. Department of Health and Human Services, Mandatory Guidelines for Federal Workplace Drug Testing Programs Using Urine, 88 Fed. Reg. 70768 (October 12, 2023). 18 U.S.C. 3563(e), 3565(b)(3), 3583(d), and 3583(g)(3). United States v. Stephens, 65 F.3d 738 (8th Cir. 1995), on missed tests treated as a refusal. Sample special condition language for substance abuse testing. All Rise, Adult Treatment Court Best Practice Standards (March 18, 2025), Drug and Alcohol Testing, Provisions G, H, and I. Controlled Substances Act, 21 U.S.C. 812. Drug Enforcement Administration, final order, Schedules of Controlled Substances: Rescheduling of Food and Drug Administration Approved Products Containing Marijuana From Schedule I to Schedule III, 91 Fed. Reg. 22714 (April 28, 2026). On immigration: 8 U.S.C. 1182(a)(2)(A)(i)(II) and 21 U.S.C. 802; 8 U.S.C. 1101(f)(3), on good moral character for citizenship.

Chapter 8. Americans with Disabilities Act, Title II, 42 U.S.C. 12131, including 12131(1) defining a public entity, and 12132, and 42 U.S.C. 12210(a), (c), and (d). 28 C.F.R. 35.107 and 35.130(b)(7). Pennsylvania Department of Corrections v. Yeskey, 524 U.S. 206 (1998). 42 U.S.C. 1997e(a).

Rehabilitation Act, 29 U.S.C. 794(a), on programs conducted by federal executive agencies. U.S. Department of Justice, The ADA and Opioid Use Disorder (April 5, 2022). U.S. Department of Justice, letter of findings concerning the Unified Judicial System of Pennsylvania (February 2, 2022), and settlement agreement in United States v. Unified Judicial System of Pennsylvania (January 31, 2024). Protection and advocacy agencies: 42 U.S.C. 15041 and following, and 42 U.S.C. 10801 and following; Administration for Community Living, Disability Information and Access Locator (dial.acl.gov). Federal Rule of Criminal Procedure 32.1(c). Centers for Disease Control and Prevention, Technical Instructions for Civil Surgeons, Mental Health (cdc.gov), on Class A substance use disorders, sustained remission, and agonist therapy.

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Practice Standards (March 18, 2025), including Target Population, Provisions A and F; Roles and Responsibilities of the Judge, Provision D; Multidisciplinary Team, Provision E; Incentives, Sanctions, and Service Adjustments, Provisions A, B, C, D, E, F, G, H, I, and J; and Drug and Alcohol Testing, Provision I. On immigration: 8 U.S.C. 1101(a)(48)(A); 8 U.S.C. 1182(a)(1)(A)(iv) and (a)(2)(A)(i)(II); Matter of Mohamed, 27 I&N Dec. 92 (BIA 2017); Matter of Pickering, 23 I&N Dec. 621 (BIA 2003). Alexander v. State, 2002 OK CR 23, 48 P.3d 110 (Oklahoma), on recusal of the drug court judge and raising it in the trial court.

Chapter 12. 18 U.S.C. 3572(a), 3613(b), and 3664(f) and (k).

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Chapter 24. Consolidated Appropriations Act, 2021, Pub. L. 116-260, division FF, title VII (FAFSA Simplification Act). U.S. Department of Education, Dear Colleague Letter

GEN-21-04 (June 11, 2021). 21 U.S.C. 862, including 862(a)(1)(C) and 862(c), and 862a. 24 C.F.R. 960.204 (public housing) and 982.553 (vouchers). 23 U.S.C. 159. 8 U.S.C. 1101(a)(48)(A); 1182(a)(1)(A)(iv), (a)(2)(A)(i)(II), (a)(2)(C), and (a)(6)(C)(ii); 1226(c)(1); 1227(a)(2)(B) and (a)(3)(D). Matter of Mohamed, 27 I&N Dec. 92 (BIA 2017). Matter of Pickering, 23 I&N Dec. 621 (BIA 2003). Matter of Roldan, 22 I&N Dec. 512 (BIA 1999). Matter of Mendez Maldonado, 30 I&N Dec. 62 (BIA 2026). 8 U.S.C. 1304(e). 8 U.S.C. 1326(a). Padilla v. Kentucky, 559 U.S. 356 (2010). 18 U.S.C. 921(a)(14) and (a)(20), 922(a)(6), 922(g)(1) and (g)(3), and 922(n). Bureau of Alcohol, Tobacco, Firearms and Explosives, Firearms Transaction Record (ATF Form 4473). Standard condition (10).

Who I Told, and When

Keep this page current. When your phone number or your address changes, you make these calls the same day, and you write the date here.

My current number:

My current address:

A second person who can always reach me, and their number:

My case number or numbers:

Who	Their number	Date I gave them my new information	Confirmed
My attorney			
My officer			
Clerk of court			

Who	Their number	Date I gave them my new information	Confirmed
My treatment program			
Bail bondsman, if I have one			

If you are reading this page because something has already changed, make the first two calls before you put the book down.

If I Use Again

If you used, read this page before anything else in this book.

Your tolerance is lower than it was. If you went back to opioids after any stretch away from them, including time in jail or in a program, the amount that used to be normal is not normal now, and that is what kills people in the first days back.

Do not use alone. Have naloxone where somebody can reach it, even if opioids are not your drug. Tell one person where you are.

If somebody is overdosing, unconscious, having a seizure, or cannot be woken, call 911 now. Give naloxone if you have it, and stay with the person until help comes. Many states have a law that protects the person who calls from some drug charges, and some of those laws also protect a person on probation or parole from a violation. Call anyway, and ask your attorney afterward what your state's law covers.

If you are thinking about killing yourself or hurting yourself, call or text 988.

If you take buprenorphine or methadone, call your prescriber or your clinic today and say what you used. Do not change your dose on your own.

Then, and only then, the legal part. Call your attorney right away, before you tell your officer. If your conditions

require you to report use, you still have to report it on time and truthfully, so call soon enough to meet that deadline. If you cannot reach an attorney in time, make the report anyway. If you have no attorney, Chapter 20 says who to call. Chapter 21 explains the order and why it matters.

Do not disappear. Do not stop going to treatment. Do not miss your next appointment. Continuing to show up after a slip is one of the things a judge weighs most, and vanishing turns a bad week into a warrant.

You are not starting over. You are continuing, from here.

SAMHSA National Helpline: 1-800-662-4357. Free, confidential, 24 hours a day, every day, English and Spanish.

People and Resources

Name	Number
Name	Number
Name	Number
Name	Number
Name	Number
Name	Number
Name	Number
Name	Number
Name	Number
Name	Number

Crisis: call or text 988
988 Suicide and Crisis Lifeline, 24/7. Chat at 988lifeline.org.

Emergency: 911

Treatment referrals: 1-800-662-4357
SAMHSA National Helpline, free and confidential, 24/7, English and Spanish. Text your ZIP code to 435748 or search FindTreatment.gov.

Free Support Groups

These groups are free to attend. Most meet in person and online. Try more than one until you find a room that fits.

Alcoholics Anonymous (AA) aa.org
12-step groups for people with a drinking problem.

Narcotics Anonymous (NA) na.org
12-step groups for recovery from any drug.

SMART Recovery smartrecovery.org
Skills-based groups with no religious content, for any addiction.

LifeRing Secular Recovery lifering.org
Secular peer support, in person, online, and by email.

Recovery Dharma recoverydharma.org
Peer-led groups based on Buddhist practices.

Celebrate Recovery celebraterecovery.com
Christ-centered 12-step groups, usually hosted by churches.

Women for Sobriety womenforsobriety.org
Support groups for women.

For family and friends al-anon.org
Al-Anon, Nar-Anon, and SMART Recovery Family & Friends.

Online Meetings

Online meetings run at every hour of the day and night. You can use a first name only and keep your camera off. Many also have a phone number you can dial in to with no internet at all.

In The Rooms intherooms.com
Free live video meetings every week for many recovery paths, 12-step and others. A free account with a username is all you need.

AA Online Intergroup aa-intergroup.org
AA meetings by video, phone, chat, and email, around the clock.

Meeting Guide app aa.org
AA's free app lists in-person, online, and phone meetings.

Virtual NA virtual-na.org
Narcotics Anonymous meetings online and by phone.

SMART Recovery Online smartrecovery.org
Online meetings, chat, and message boards.

LifeRing Online lifering.org
Video meetings, chat, forums, and email groups.

Some recovery websites show phone numbers that connect to treatment centers selling their services. For free, neutral referrals, call the SAMHSA National Helpline:

1-800-662-4357

Alder Creek Editions, LLC is not connected to any group or website listed in this book. Websites change. If one stops working, the SAMHSA helpline can point you to current options.

About the Author

Stephen Deason has been in Recovery for more than eleven years and still begins and ends each day with meditation and gratitude. He writes The Mile Marker Library for people getting into recovery on their own, including people who cannot attend or afford a treatment program. He writes as a peer, from his own experience, and is not a physician, counselor, lawyer, or financial adviser.

He has spent more than thirty years building teams and companies in healthcare and technology, holds graduate degrees in business and accounting, and writes about recovery, economics, business, and social enterprise. You can find more of his work at aldercreekeditions.com and stephendeason.com.



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Also by Stephen Deason

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Volume One: *Residual Claimants: How to Think Like and Become a Business Owner*
Where it all begins. How the person paid last reasons about people, systems, and money, taught in order: seeing and supervising the work, making judgment hold through other people, and finally reasoning from the owner's side of the ownership line.

Companion: *The Realities of Ownership: A Handbook for Owners and the People They Develop*
The seventy-nine Realities from Volume One, set out on their own for the owner's desk, followed by the harsh truths of the owner's seat and what owning a company does to a life.

Volume Two: *The Owner's Arithmetic: Finance, Costing, and Valuation for the Owner-Operator* (forthcoming)

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Four books on developing people for the owner's seat, one for each level of the company: *Depth of Field*, for first-time supervisors and managers; *Parallax*, for mid-level managers; *Latent Image*, for executives and owners; and *Refraction*, the theory underneath all three. (forthcoming)

Business and Ownership

Valued: How Purpose Driven Businesses Can Conquer Addiction and Marginalization in America

Complaints Log Book: Organize Concerns, Ensure Accountability, and Improve Service

Economics

Somebody Always Pays: Plain Words Economics for People Who Do Real Work

Laureates for Owners (forthcoming)

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A family learns, one ordinary handoff at a time, that competence at every individual step is not the same thing as safety across the whole arc of a recovery.

Book II: *The Invisible Architecture: A Story About Senior Care as a System*

A shorter, quieter story, picking up where Book I leaves off. Frank and Elaine's turn, with the system itself doing more of the work and the emotion doing less.

Book III: *The Space Between: Institutional Architecture and Coordination Costs* (forthcoming)

Companion: *The Family Integrator's Handbook: Worksheets for Families Coordinating Care*

The Sitting Room Series

1. *When More Help Is Needed: A Guide for You and Your Family*
2. *Who to Contact: Free Help for Older Adults and Families*
3. *Emergency Information Sheet* (free download)

4. *Before It's Urgent: A Workbook for Papers, Decisions, and Conversations*
5. *Things I Want You to Know: A Journal of Stories, Wishes, and Words for Your Family*
6. *While You Can Still Decide: After a Diagnosis of Memory Loss*
7. *Arranging Care at Home: A Workbook for Arranging Care in the Home*
8. *Care Partner's Log: A Daily Record for the Person Giving Care*
9. *Grieving Someone Who Is Still Here: When Someone You Love Has Progressive Memory Loss*
10. *Visit Journal: A Shared Record for Everyone Who Visits*
11. *Choosing a Place to Live: A Workbook for Comparing Senior Living and Care*
12. *The Move and the First Months: For Families and the Person Moving*
13. *Before the Last Weeks: When Treatment Stops Working, for You and Your Family* (forthcoming)
14. *After a Death: The First Year, for You and the People Around You* (forthcoming)
15. *First-Year Grief Journal: Undated Pages for the Year After a Death*
16. *Worksheet Collection: Every Form in the Sitting Room Series* (forthcoming)

The Mile Marker Library

1. *Don't Panic: The First Hours After You Stop: What to Do When You Stop Drinking or Using*
2. *Wallet Crisis Card* (free download)
3. *Free Help Directory: Meetings, Helplines, and Low-Cost Care*
4. *Medications for Addiction, Explained: What They Are, How to Ask, and How to Pay*, with Melissa Deason
5. *Tools You Can Use on Your Own: A Guide to Self-Directed Recovery*, with Melissa Deason
6. *Cravings and Hard Hours Workbook: A Companion to Tools You Can Use on Your Own*, with Melissa Deason

7. *One Day at a Time, Written Down: A 90-Day Gratitude Journal for Adults in Recovery*, with Melissa Deason. Also in a Christian edition: *A 90-Day Gratitude Journal for Christians in Recovery*
8. *Daily Reader, 365 Days*, with Melissa Deason (forthcoming)
9. *Worksheet Library* (forthcoming)
10. *Money in Early Recovery: Budgets, Debts, Benefits, and Credit*
11. *Work and Recovery: Finding a Job, Keeping It, and What to Tell Employers*
12. *Finding a Safe Place to Live: Sober Housing and What to Check Before You Move In*
14. *For Families: When Someone You Love Can't Get to Treatment*
15. *Group Facilitator Guide: Running Free Peer Support Groups with These Books*, with Ben Wilson
16. *Employer Guide* (forthcoming)

For Children

The Ladybug and the Butterfly, by Laine & Daddy

Free at aldercreekeditions.com

Care Complaints Log Book (family edition)

Care Coordination Grid

Next of Kin Box

Operational Reliability Resources

Companion Worksheet Library, for *The Weakest Link* and *The Invisible Architecture*

Contributor

Mission Matters: World's Leading Entrepreneurs Reveal Their Top Tips to Success, with Adam Torres (Mission Matters Media)

Learn more at www.aldercreekeditions.com.